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Governor

STATE OF CALIFORNIA

## Department of Social Welfare

CHARLES M. WOLLENBERG

DIRECTOR  
Sacramento 14  
June 3, 1946

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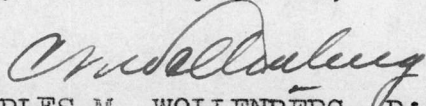
Dear Mr. Jordan:

Attached are three copies of the following regulations  
made by the State Department of Social Welfare.

### ADOPTION MANUAL LETTER NO. 2

These regulations are filed in accordance with Section 11381  
of the Government Code, Chapter 1334, Statutes of 1945.

Very sincerely yours,

  
CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

63:b5  
Enclosures

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Dept. of Social Welfare  
(Name of State Agency)

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GOVERNOR

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

CHARLES M. WOLLENBERG  
DIRECTOR

Sacramento  
May 31, 1946

125

ADOPTION MANUAL LETTER NO. 2

Attached are reissues, revisions and new sections to be inserted in your copy of the Manual of Adoption Policies and Procedures. Revision numbers are to be cancelled on the back of the cover sheet.

Chapter IV, Investigation of Independent Adoptions, has been rearranged, revised and new material added. Secs. 2300 thru 2375 replace Secs. 2300 thru 2340 and the obsolete sections are to be removed from your manual.

The Table of Contents and Index have been changed to incorporate revisions, additions, and deletions and replace entirely the previously issued Table of Contents and Index. The Index to Attorney General Opinions has been reissued to bring it up to date and is to be substituted for the previously issued Index of Attorney General Opinions.

Secs. 2920, Outline: Interview Natural Parent-AD and 2925, Outline for Interview with Petitioners, have been deleted and Sec. 2660, Validity of Subsequent Marriage has been added.

Revisions 27 thru 34 contain new procedures, changes in policies and amplifications. They replace former Secs. 2430, 2600, 2620, 2915, and 2930.

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## CHAPTER IV

## INVESTIGATION OF INDEPENDENT ADOPTIONS

"No hard and fast rules can be laid down as to what should be included in an adoption investigation. Certain general standards of procedure must serve as a guide, but the plan for each investigation must depend on the circumstances involved. At no time should the procedure be permitted to become routine; otherwise the purpose of the investigation is likely to be obscured by the necessity for gathering routine information. Just as each child is an individual, so each adoption investigation must be planned individually."<sup>1</sup>

2300 CONTACTS WITH ATTORNEY

2300

The agent should communicate with the attorney during the progress of the investigation and should keep him informed of the status of the case, clearing any necessary points with him. If the petitioners do not have an attorney (the law does not require that petitioners be represented by an attorney) necessary points should be discussed with them.

## 1. It is the Department's responsibility:

- a. To work closely with the attorney, as the petitioners' legal counsel, submitting to him for consideration any problem which may arise during the course of the investigation.
- b. To discuss the case with the attorney before filing a recommendation for denial.
- c. To give the attorney a copy of any report or findings submitted to the court, (Sec. 226, Civil Code)
- d. To discuss with the attorney any proposed extension of time or recommendation of denial.

## 2. It is the attorney's responsibility:

- a. To prepare and file the petition to the Superior Court of the county in which the petitioners reside. (Sec. 226, Civil Code)
- b. To clear any legal barriers to the adoption.
- c. To prepare (1) the agreement which the petitioners must execute or acknowledge in writing, stating that the child shall be treated in all respects as their lawful child, and (2) the consent of each spouse to the adoption of the child by the other spouse. (Secs. 223 and 227, Civil Code)
- d. To prepare the consent to the adoption by a child over 12 years of age. (Sec. 225, Civil Code; see Sec. 2935, Appendices)

(Section Continued on Next Page)

<sup>1</sup>U. S. Children's Bureau (Publication No. 262, Mary Ruth Colby, Problems and Procedures in Adoptions, Washington, D. C., 1941, p. 68)

2300 (Continued)

2300

- e. To prepare the Order of Adoption. (Sec. 227, Civil Code)
  - f. To have the case set for hearing in the Superior Court of the county in which the petition was filed.
  - g. Generally the attorney will appear in court with the petitioners. Provision was made by legislation enacted in 1943 for court appearance by counsel commissioned and empowered in writing to represent a petitioner in military service when it is impossible or impracticable for him to be present at the hearing. (Sec. 227, Civil Code)
  - h. To file in the office of the county clerk the Order of Adoption. (Sec. 227, Civil Code)
  - i. To prepare for completion by the county clerk the Certificate of Adoption. (Sec. 10250, Health and Safety Code)
3. Data desired by Department and requested by attorneys:
- a. Copy of petition for adoption.
  - b. Address of petitioners.
  - c. Address of natural parents.
  - d. Certified copy of birth certificate of the child.
  - e. If necessary, other verifications such as marriage or death certificates or verification of dissolution of marriage.

2305 THE PETITION

2305

The petition for adoption shall be reviewed and each statement checked to see that all necessary points are covered. If the investigation reveals discrepancies in the petition (such as petitioners' residence in another county or the omission of the signature of one petitioner), these shall be discussed with the attorney immediately in order that the petition may be corrected or amended if necessary. (See Sec. 2210, Procedure for Filing Petition).



2310 THE CHILD

2310

1. Birth Certificate Information

The agent shall obtain and review the birth certificate as soon as possible and shall compare the name, date, place of birth, and names of parents with information obtained from the parents, the petition and the questionnaire. Discrepancies shall be reconciled if possible and those which can not be reconciled shall be reported in the narrative and in the court report. (See Sec. 2645)

If the child is foreign born, the agent shall obtain all possible information regarding entry into this country from the parents and/or the petitioners. Verification of legal entry may be made through papers in possession of the parents and/or the petitioners, the office of the Consul, or the Bureau of Immigration and Naturalization. (See Sec. 2315.2 i)

2. Medical Reports and Examinations

The agent shall obtain reports from the physician attending the birth of the child (in all cases of infants and as deemed advisable in cases of older children) concerning complications of pregnancy and birth, condition of the child, and reports of tests and examinations. (Form Adop M39 Rev.)

The agent shall obtain a report from the pediatrician, hospital, clinic, or other physician currently attending the child. (Form Adop M36 Rev.) In the case of an infant, the report should be on an examination made when the child is at least five months of age, the report to include a blood test for syphilis.

An exception may be made and a blood test need not be required on the child if there is a record of one negative blood test on the mother taken during pregnancy or on the mother or child at the time of delivery, and the social history on the mother indicates that she has not been promiscuous. (See Sec. 2350)

(Section Continued on Next Page)

2310 (Continued)

2310

### 3. Psychometric and Psychiatric Reports

Psychometric and/or psychiatric examination shall be requested when observation of the child or information obtained regarding undesirable or questionable background indicates the need for it.

### 4. The Child's Development

The agent shall obtain the developmental history of the child (physical, mental, social) from natural parents, physicians, petitioners, institutions, school, etc., as indicated. If clearance is made with a school, utmost caution should be used in obtaining it and in discussing the information with the petitioners. When clearance seems advisable, it should be initiated only after discussion with the supervisor. The agent shall observe the child and talk with him and shall consider his development in the light of accepted developmental norms. (See Sec. 2955 for Information on Development of Child at Different Age Levels.)

### 5. Adjustment in the Home

The agent shall observe and evaluate the adjustment of the child to the petitioners, their household, and the home. If the child is old enough to express an opinion, she shall discuss with him the pending action and his wishes regarding his adoption. If the child is under twelve, however, she should respect the wishes of the petitioners in regard to discussing his adoption with him.

### 6. Placement

The agent shall determine: (a) who placed the child and under what circumstances; (b) whether the natural parents and petitioners are related to each other or known to each other by name or sight; (c) how long the child had been in the petitioners' home prior to the filing of the petition for adoption.

### 7. Legal Status of Child

- a. Complete information regarding the legal status of the child shall be obtained to show whether the child is legitimate, illegitimate, orphan, half-orphan, left without means of identification, declared free from custody and control of his parent or parents, or a child having a legal guardian of his person and/or estate.

When a child has been abandoned without provision for its identification, abandonment proceedings under Section 701 of the Welfare and Institutions Code will not be necessary if there has been compliance with the provisions of the Health and Safety Code and a certificate of finding has been issued, or if the child has been declared a foundling by Juvenile Court action.

(Section Continued on Next Page)



2310 (Continued)

2310

If there is any doubt as to the status of the child, however, either by reason of the circumstances of the finding, or if it appears that sufficient effort has not been made to establish its identity, an adjudication of abandonment shall be required. (AGO NS5322)

- b. The facts in the case shall be reviewed to determine whether consents of living parents are necessary. (See Chap. V, Consents)
- c. In connection with the adoption of every illegitimate child, consideration shall be given to the question of whether there has been an adoption under Sec. 230, Civil Code. (See Chapter X, Secs. 2820 - 2850)

#### 8. Variations in Requirements for Investigation of Child

- a. When the child being adopted is an infant, at least 150 days should elapse before the final report is filed and the Department's recommendation is made. Exception may be made only in unusual circumstances.
- b. When a child is being adopted for the second time, the investigation shall cover the reasons for the replacement, the child's adjustment in the new home, his health, mental and social development, and the usual complete investigation of the petitioners. It will not be necessary, however, to repeat in the case record the basic information in regard to the child.
- c. When the child has been in the home of the petitioners for years, when he is an older child who has been in the petitioners' home long enough for them to adjust to each other, and consents to his adoption, or when he is a close relative of the petitioners, all the basic information shall be obtained regarding the child and the petitioners and vital statistics shall be verified, but collateral contacts and more intensive social investigation may be relaxed, or, in certain instances, omitted altogether. The routine medical examination shall be required if it is indicated, the decision to be made on the basis of the age of the child, the length of time he has been in the petitioners' home, whether he is related to the petitioners, and whether there seems to be any necessity for an examination.

#### 2315 THE PETITIONERS

2315

##### 1. Questionnaire

The questionnaire, Form Ad 9 - Rev., regarding petitioners and the child, together with authorizations to be signed by them for release of medical, social and employment information, shall be mailed or taken to the petitioners immediately. When the questionnaire and forms are returned they shall be reviewed and checked for completeness. All the information requested in the questionnaire is essential.

(Section Continued on Next Page)

2315 (Continued)

2315

## 2. Verifications

- a. Clearances should be made on the petitioners with the Social Service Exchanges indicated and subsequent clearances should be made with agencies to which they are known. (Authorization Form Adop M51) Clearances may be made by telephone or letter, according to the working agreements with the agencies. Information in the records of other agencies should be reviewed and given consideration early in the investigation. (See Sec. 2340, Use of Social Service Exchange, regarding clearances for other district offices.)
- b. Vital Statistics: Marriages and dissolutions of marriages (whether by death or divorce) of both petitioners shall be verified. It is necessary to know the marital status of the petitioners to determine whether the petitioner is a married person and the consent of the spouse to the adoption is necessary and whether their marriage is valid and nonvoidable in order to protect inheritance rights of the child and to insure a normal family and home for the child.
- c. Employment verification: Petitioner's current employment shall be verified either by correspondence with the employer (Authorization Form Adop M21 and Verification Form Adop M29), or through satisfactory verifications in the possession of the petitioner. If the petitioner's current employment has been for less than a year the last previous employment should also be verified.
- d. References: Opinions of persons given as references by the petitioners shall be secured either through personal interviews or by correspondence (Form Ad 10). If any reference expresses an adverse opinion, he should be interviewed personally if residing in this State. Ordinarily there should be at least four references, not including the doctor and attorney, but in questionable cases additional references may be requested from the petitioners and interviewed. It is suggested that (a) at least one reference be from the minister or someone who knows the petitioners in their church relationship, if any; (b) at least one reference from a business associate, other than the employer; (c) at least two from friends (preferably married couples) who have knowledge of their home life and relationships and standing in the community.
- e. Criminal Identification: If there is any indication that either petitioner may have a criminal record, a clearance should be made with the Division of Criminal Identification and Investigation, 503 State Office Building #1, Sacramento (Form Adop M61).
- f. Verification of income, real and personal property: Since the ability of the petitioners to care for the child adequately and to provide financial security for him is an important factor in determining their suitability as parents, their income should be verified and ownership of real and personal property as indicated.

(Section Continued on Next Page)



2315 (Continued)

2315

Income from self-employment or from sources other than employment may be verified by income tax returns or other financial records. It is not necessary to verify every item of income, nor to check records in the county clerk's office on real property. Sufficient information can easily be obtained from income tax returns, deeds, records of loans, county tax receipts, bank books, insurance policies in the petitioners' possession. The authoritarian approach should not be used in verifying finances but petitioners should be encouraged to give to the Department for presentation to the court any information on their finances which would support a recommendation of approval.

- g. Outstanding obligations and debts: Information regarding outstanding obligations and debts should be obtained and verified if circumstances indicate. Information may be obtained by requesting credit rating if necessary.
- h. Verification of Health:

- (1) A medical report of an examination of each petitioner, made within six months of the filing of the petition, shall be obtained. If a further examination is indicated, it shall be requested. (Authorization Form Adop M26 and Physician's Report Form Adop M35) (See Sec. 2350, Medical Reports and Information)

The medical report must include a report on a blood test for syphilis. If the blood test is positive the matter shall be cleared with the physician immediately to determine what the prognosis is. If the petitioner is under treatment, the prognosis is favorable, and the physician states that the condition is not infectious, the agent may request an extension of time. At the same time she should explain to the petitioners, the physician and the attorney that the State Department of Social Welfare, acting on the advice of the State Department of Public Health, Bureau of Venereal Diseases, will require a spinal fluid examination and a careful physical examination to determine the presence or absence of other manifestations of syphilis before making a final recommendation in the adoption. In doubtful cases material may be submitted by the district office to the Bureau of Venereal Diseases in the district. (See Sec. 2350, Medical Reports and Information)

Medical reports on other members of the family or household should not be requested routinely but only as indicated. In such cases a statement by the physician rather than a complete medical report will usually be sufficient.

- (2) Psychoneurotic Dischargees: The Veterans' Administration, Fort Miley, San Francisco, will furnish medical reports on all psychoneurotic dischargees. Authorization for the release of

(Section Continued on Next Page)

2315 (Continued)

2315

this information, signed by the veteran, should be submitted with the request to Fort Miley. The agent shall, therefore, request permission to review discharge papers of all petitioners who have been in military service.

(3) Clearance with institutions: The agent shall inquire whether either petitioner or any member of their immediate family is or has been confined in any public or private hospital for the mentally ill, or for narcotic or alcoholic treatment. If there has been any record of confinement, agent shall obtain complete information from the hospital.

(4) Psychometric and/or Psychiatric Reports: Psychometric and/or psychiatric examinations shall be requested when the agent's observation or information obtained elsewhere indicates the need for them.

i. Verification of citizenship or legal entry: In all cases in which a petitioner reports that he is foreign born, information regarding his citizenship shall be verified. If the petitioner is an alien, his legal entry into the United States shall be verified.

Citizenship may be verified by reviewing citizenship papers in the petitioner's possession, in which event full information should be given in the narrative; or, if the petitioner does not have his papers, a letter from the county clerk giving the information will be acceptable.

Legal entry into the United States may be verified by any of the following:

- (1) Alien registration receipt card if it is endorsed by an official of the Alien Registration Division. The endorsement will appear across the face of the card and will show date and place of admission;
- (2) Declaration of intention to become a citizen;
- (3) Immigrant identification card issued between 7-1-28 and 7-1-40;
- (4) Passport, endorsed by Immigration and Naturalization Service to show admission as quota or non-quota immigrant;
- (5) If none of the above are available, date and place of entry may be obtained and a letter requesting verification directed to Immigration and Naturalization Service at the port of entry.

If no proof of legal entry can be obtained, the petitioner should be advised to go to the nearest immigration office to clear his status and have his entry adjusted. There may or may not be a penalty attached to it.

(Section Continued on Next Page)



2315 (Continued)

2315

### 3. Interviews with Petitioners

- a. Place: Both petitioners should be seen together and with the child, at least once in their home environment during the investigation period. The first contact with the petitioners may be at the time they come to the office early in the investigation period, to clear some point; but the agent ordinarily would not attempt to conduct a full first interview at this time.
- b. Appointments: Home visits may be made by appointment, but, if the agent considers it advisable, she may make visits without previous announcement. The interview or interviews with the man petitioner may always be made by appointment. If the man petitioner is away and will not be available for interview in the home, he may be interviewed at such other place as is convenient.
- c. Time: Since the agent should have some knowledge of the foster home and parents before discussing the consent and placement with the natural parents, the petitioners should be seen first if possible. Information in regard to the family should be up to date at the time of the court report. This will sometimes necessitate a contact with the petitioners just prior to the filing of the report. This may be by personal interview in the home or office, telephone conversation, or by letter, if personal contact is not possible.
- d. Objective of visit to the home: The purpose of visiting the home of the petitioners is to observe the physical conditions in the home, the atmosphere of the home, the adjustment of the various members of the family to each other, the attitude of other members of the household toward the child, and the care being given the child. If possible, each petitioner should be interviewed separately as well as together. This is important in determining whether each petitioner wishes to adopt the child, has a sincere interest in him, and wishes to consummate the adoption.
- e. Content of the interviews: If conflicting information is given in the questionnaire, verifications, or interviews, the agent shall discuss this with the petitioner concerned in an attempt to reconcile the discrepancies. This shall be recorded in full in the narrative. Information given by one petitioner regarding the other petitioner's history should be corroborated by the other.

The interviews with the petitioners should cover the following information. Form Adop M67, Outline for Interview with Petitioners, may be used as a guide during the interviews and in recording.

- (1) Introduction: Date, persons interviewed, place of interview.
- (2) Housing and Household: Brief description of the home, the neighborhood, availability of schools, composition of the household, atmosphere, etc.

(Section Continued on Next Page)

2315 (Continued)

2315

- (3) Minor: Brief description of developmental history to date; adjustment in the home; attitudes of the petitioners, their relatives and other members of the household toward the minor and the proposed adoption.
- (4) Plans and Training: This should be discussed with both petitioners. The discussion should cover plans for the child's education and religious training their understanding of child care and training; discipline; and whether he will be told of his adoption. If the woman petitioner is employed, the discussion should include plans for care of the child in her absence.
- (5) Placement: This should be discussed with both petitioners. Discussion should cover why petitioners wish to adopt the child; how they obtained him; date of placement; whether placement has been continuous; who assisted in making the placement (this should include names, addresses and information in detail); whether the petitioners are related to the parents, are friends or acquaintances, or have not met the parents; how much they know about the parents; whether they assisted the parents financially, and if so, to what extent; their attitude toward the parents and regarding the child's background or regarding the lack of information if it is limited or completely lacking.

(6) Woman Petitioner: Description

Background: Date, place of birth, nationality descent; education (if age at completion of grade or high school deviates markedly from the usual age at completion, agent should discuss reasons); employment or employment history; marriages, and reasons for divorces, if any; information concerning children born to previous marriages. (If the children are minors, the question of their support should be discussed and verified.)

Relatives: Education of parents and siblings, their occupations, health--mental and physical; and any other pertinent information concerning them, including general family health history. (Names and addresses of siblings need not necessarily be obtained.)

Health: Physical and mental, including institutional record, if any.

Religion: Church attendance, participation in church activities, attitudes toward religion and church.

Citizenship: If foreign born, information concerning when and where citizenship was acquired should be obtained and verified. If not a citizen, information concerning legal entry should be verified.

(Section Continued on Next Page)



2315 (Continued)

2315

Interests: Community activities, membership in clubs or organizations, hobbies, talents, recreation, etc.

- (7) Man Petitioner: The same subheadings may be used as shown for woman petitioner. Employment may be shown under a separate heading for him to include more details. Separate headings may also be used for military service and clearance of veteran's status. Information regarding the man petitioner's background and relatives, furnished by the woman petitioner ordinarily should be corroborated by him.
- (8) Petitioners' Children: Full information concerning the petitioners' children, if any, their development and care, education, occupation, health, etc., and their attitude toward the child to be adopted. If they have never had children, their statement of the reason why.
- (9) Inheritance Rights of the Adopted Child: Do the petitioners understand that the child will inherit from them equally with any natural children?
- (10) Finances: Financial situation including earnings, income, real property, savings--if none, the reason, debts, obligations, insurance, previous financial status, including any contacts with social agencies.
- (11) Other Necessary Discussion not covered under preceding topics, such as verification of vital statistics if they were reviewed in the home, or explanation of conflicting information appearing in the questionnaire, verifications, or interviews.
- (12) Agent's Evaluation of Suitability of Home, considering all significant factors, especially the opportunity which the home offers for the best development of the particular child, in relation to the time the child has been in the home:

There should be flexibility in the use of the outline. When the petitioners are interviewed separately the headings as listed are satisfactory. When they are interviewed together it may be more logical to list each petitioner's statement under the same topic, rather than covering the topic separately under the name of each petitioner. In some instances all the information may be obtained in one interview, but in other instances several interviews may be necessary to obtain all the information.

## 2320 THE PARENTS

2320

The purpose of the investigation as shown in Chapter III, Sec. 2220, No. 4, and Chapter V on Consents should be considered and used as a part of this section on the investigation of parents.

1. Verifications

- a. Clearances on the parents and their parents, if known, should be made by the district office to which the case is assigned, with the Social Service Exchange indicated, and subsequent clearances should be made with the agencies to which they are known. This may be done in person, by telephone, or by letter, according to the working agreement with the particular agency. Information in the records of other agencies should be reviewed and given consideration early in the investigation.

In requesting inter-office service the district making the request shall include a full report of registration with agencies in the second district whose records are to be reviewed. (For further information on clearances, see Sec. 2340, Social Service Exchange.)

- b. Vital Statistics: Marriages and dissolutions of marriages, whether by death or divorce, for parents whose consents are necessary, shall be verified. It is necessary to know the marital status of the parents in order to determine who should consent and what type of consent is to be used. (For detailed information, see Chapter V, Consents.)
- c. Identification: Proof of identity of the parents shall be requested where indicated.
- d. References: The natural parents may be asked for references from either friends or relatives who know of the proposed adoption and would be able to give information regarding them and their families. If the references are available they should be interviewed if possible.
- e. Criminal Identification: If there is any indication that either parent may have a criminal record, a clearance should be made with the Division of Criminal Identification and Investigation. (Form Adop M61)
- f. Health: As much information as possible should be obtained regarding the health of the natural parents, from their own statements, from medical reports if available, from records of agencies, clinics, hospitals, maternity homes and from relatives and other references.

When the child to be adopted is an infant, a report should be obtained from the obstetrician regarding the mother's health and physical condition, including a blood test for syphilis, and a statement regarding any complications of pregnancy and birth. (Form Adop M39) If the child to be adopted is older, a similar report should be obtained if it is deemed necessary.

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2320 (Continued)

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Authorizations should be obtained from the mother for release of medical and social information. (Forms Adop M49 and Adop M52) If the request for information is sent to a hospital or maternity home it should cover both types of information. In requesting information, complete identifying information should be given: the name of the natural mother, the name and birth date of the child as it appears on the birth certificate, and the name of the natural father, if known. If the child was born in a maternity home the request should be directed to the home rather than to the physician.

If it is not possible to get a report from the hospital, maternity home, or physician attending the mother at the birth of the child, and the birth certificate shows that a blood test was made on the mother during gestation, or at delivery, the result of the test, if positive, may be obtained from the State Department of Public Health, Bureau of Venereal Diseases, San Francisco, California. The request for this information should be made by the district concerned.

Psychological and/or psychometric examinations shall be requested when the agent's observation or information obtained elsewhere indicates the need for them.

- g. Clearance with Institutions: The agent shall inquire whether either parent or any member of their immediate families is or has been confined in any public or private hospital for the mentally ill or defective. If there has been any record of confinement, the agent shall obtain complete information from the hospital.

## 2. Authorizations

Authorizations shall be obtained from the parent or parents at the first interview: (a) for the release of medical and social information (Forms Adop M49 and Adop M52); (b) authorization to petitioners to provide medical or surgical care, including anesthetics, pending adoption (Form Adop M63). If the interview with the natural parents occurs soon after the petition is filed, the parent should be asked if written authorization for medical care has been given to the petitioners. If it has not, two copies of the Form Adop M65 should be signed and both should be sent immediately to the petitioners. The narrative and correspondence should show that authorization has been signed and transmitted to the petitioners.

## 3. Interviews

### a. Persons Interviewed

If the parents (or parent) are in the State, they shall be interviewed personally. If they reside in the district, in which the petition is pending, the interviews shall be arranged by the agent handling the case. If they reside in another district, the agent

(Section Continued on Next Page)

2320 (Continued)

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shall request the district office where the parents reside, to interview them. (See Sec. 2355, Intra-State and Inter-State Requests.)

If the parent is in a State prison, the agent to whom the case is assigned shall write to the warden's office at the prison requesting:

- (1) A summary of any history and tests.
- (2) That the man be informed of the pending adoption.
- (3) That he be interviewed regarding his attitude toward the adoption.
- (4) That the Department be notified of his willingness or unwillingness to consent.
- (5) If the parent is willing to consent, that he have the parent make the necessary request to the warden to have his civil rights restored for the purpose of executing the consent, and that the warden notify the Department when an agent may interview the parent and take his consent.

As the interview with the parent will necessarily be made by the district office in which the prison is located, as soon as the necessary information is received from the warden the agent to whom the case is assigned shall send a regular inter-office request, with full information to the district which renders the service.

If the warden reports that the parent is unwilling to sign consent, the agent to whom the case is assigned shall send the warden a form for refusal to consent, with the request that he have the parent execute it. This can be signed without the restoration of the man's civil rights, as it is not a contract and does not involve any change in his status.

It is important that the agent make her contact with the warden immediately in any case where a parent is in a State prison, as the request for the restoration of his civil rights must be referred by the warden to the Adult Authority. If the matter is not cleared within a reasonable length of time (six weeks), after the request is made, follow up should be made by the agent.

If the parent is in prison in another state, the agent shall arrange to have him interviewed and his consent obtained according to instructions shown in Sec. 2355 Inter-State and Intra-State Requests.

If the parent is committed to a State hospital the agent shall follow the procedure outlined in Chapter V, Consents, Section 2490, No. 4-a.

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2320 (Continued)

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If the parents are outside the State, it is preferable to obtain the necessary information by requesting a social agency in the other state to interview them, but it may be obtained directly from the parents through correspondence.

If the parents of the child are a married couple, the same type of information should be obtained for each, according to the outline for interview. If the husband is not the father of the child, no background information regarding him is necessary, but full information should be obtained from the mother regarding the background of the natural father. Information should also be obtained from her regarding her husband's knowledge of the birth of the child and his attitude toward the adoption. If the mother is willing to have him interviewed, the placement and adoption shall be discussed with him.

In all cases in which the child is born out of wedlock, or is not the child of the mother's husband, the natural father shall be interviewed if the mother will permit and if he is available. If this is not possible, the mother shall be asked to give whatever information she can regarding the natural father, whether he acknowledged paternity, and whether he may have adopted the child under Section 230 of the Civil Code.

If the child has been previously adopted, information regarding the natural parents shall be obtained from the adoptive parents and from the court and agency records which are available. The adoptive parents shall be interviewed for information on the development of the child, his adjustment in their home, and the reason for the second placement.

b. Timing and Number of Interviews

Where possible, the petitioners should be interviewed prior to the interview with the natural parents, as the parents may wish information regarding the petitioners, and the care the child is receiving in their home before making a decision as to their consent to the adoption. If it has not been possible to interview the petitioners prior to the interview of the natural parent, the agent shall ascertain whether the parents wish to be contacted again after the investigation is completed. It shall be made clear to the parents that should the investigation reveal information which would result in a recommendation of denial by the State Department of Social Welfare, they will be contacted.

c. Content of the Interview

The interviews with the parents should cover the following information. The outline which is also issued as Form adop M67, "Information Concerning Parent of Child to be Adopted," covers the same information and may be used as a guide during the interview and in recording. In some instances all the information may be obtained

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in one interview but in other instances several interviews may be necessary before all points are covered.

- (1) Introduction: Date, persons interviewed, place of interview.
- (2) Mother: The agent should secure the present name, maiden name and any aliases; the usual and present address of the mother. She should also record a brief description of the mother, showing height, weight, color of eyes, color of hair and general coloring. She should also give a brief statement of the mother's personality, temperament and general impression created.
- (3) Background: Date and place of birth, nationality descent, education (if age at completion of grade or high school deviates markedly from the usual age at completion, agent should discuss reasons), employment or employment history, special talents, hobbies and aptitudes which might be of interest to the petitioners.
- (4) Relatives: Mother, father, siblings: Secure names, addresses, education, health, occupation--present and usual (also discuss briefly mother's grandparents, uncles and aunts, to show educational and occupational pattern for family). Any history of unusual illness, physical or mental, or nervous defects, epilepsy, feeble-mindedness, tuberculosis, diabetes, eczema, or allergies, commitments to State or private hospitals or prisons (secure details).

Some discussion of family life, social problems, if any; whether they were known to an agency; mother's relationship to her family, past and present.

Which relatives know about the child? Would the mother permit discussion of plans with relatives? Did any participate in planning for adoption?

- (5) Health: Physical and mental, including institutional records, if any. Usual health and any history of unusual illness, physical, mental or nervous disorders. Information should be obtained regarding medical care received by the mother and record of physician's examinations, laboratory tests for venereal diseases, tuberculosis, etc., if any. Name and address of present physician. Name and address of doctor attending the birth of the child; statement of health during pregnancy and delivery; prenatal care.
- (6) Religion: Church membership, if any. If no active religious connection, what was background or former training; preference for religious training of child.

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2320 (Continued)

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- (7) Marriages and dissolutions: Secure names of spouses, dates and places of marriages; date, place, and nature of dissolution; if divorce, separation, or annulment, what is reason given by mother. Mother should be told that it will be necessary to verify information given regarding marriages and dissolutions.
- (8) Children: Other than child being adopted. Secure names, dates, and places of birth; present address; if not with mother, what plans did she make for them; education; if in school, name of school, grade; developmental history—was it usual; if retarded in walking, talking, etc., record and give mother's explanation; health—any unusual illness; occupation, if employed. Do they know about the child who is being adopted?
- (9) Child to be Adopted: Name as given on birth certificate and other names used. Place of birth, date of birth; name of hospital where born; if not born in hospital, give address. If child not placed at birth, give history of development to the time of placement. Did mother care for child or what was plan for care? Health history; i.e., congenital diseases, childhood diseases, immunization.
- (10) Placement: Date made, was it continuous? If interrupted, explain. When was plan for placement made? Why was placement made? Were other plans considered? Did mother know about adoption agency services? Did she reject them and why? Who assisted in making placement, i.e., physician, nurse, mutual friend? (Secure this information in detail, including name and address, and organization, if any, with which the individual was connected.)

Are petitioners related to mother, or friends over a long period? If the mother and the petitioners were not acquainted before, how long have they known each other? Has the mother been in the petitioner's home? How much does she know about the petitioners? Mother's evaluation of the home? Does she understand that all her contacts with her child may be broken? Did the petitioners pay medical or confinement expenses, assist her financially in any way? Does this influence her consent?

If the mother still does not know the petitioners, does she wish further information?

Does she have any preference regarding the racial or educational background of petitioners?

- (11) Father: Secure the same information as shown for mother. If the mother of the child is unmarried, the agent should examine the facts to see if there is a possibility that the child may have been adopted by the father under Section 230 of the Civil Code.

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2320 (Continued)

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If there is an indication that such is the case, or if the alleged father claims joint custody, he should be interviewed. If, during the interview, he says that he has not adopted the child, nor acknowledged it as his own publicly, a report of his statement may be included in the court report to show that he does not have joint custody and that his consent is not necessary.

If the natural father claims to have adopted the child under Sec. 230, but is willing to give his consent to the adoption, consents may be taken from both parents on the joint custody form. If he is unwilling to consent, the investigation and report should cover thoroughly all five points listed in the section, which would include an interview with the wife of the natural father, if he is married, and probably interviews with other members of his family. While refusal on his part to allow his wife to be interviewed would be indicative of his failure to meet all conditions, it should not be considered conclusive evidence of the fact. The agent should get as much information as possible and report all the facts to the court. In such an instance the agent would proceed on the basis of consent signed by the natural mother only.

## 2325 REPORT TO THE COURT

2325

### 1. Reason for Report to the Court

- a. The State Department of Social Welfare is required to submit to the court a full report of the facts disclosed by its inquiry, with a recommendation regarding the granting of the petition. The final report should be a concise summary of all the facts pertinent to the adoption. (Sec. 226, Civil Code)
- b. "The purpose of the report to the court is to supply the judge with factual information so interpreted that he may have a clear but unbiased understanding of the entire situation surrounding the proposed adoption to assist him in making his decision."<sup>1</sup> From the report the court may have the benefit of this factual information, in addition to the examination of the parties in court, on which to base a decision as to granting the petition. The report to the court, therefore, is one of the most important parts of the adoption procedure and through it the Department may interpret the principles and practices involved in adoption procedures.

### 2. Content of the Report

- a. A statement of the facts disclosed by the investigation. (See Outline for Court Report and Instructions for Preparing Appendices Sec. 2930)

<sup>1</sup>U.S. Children's Bureau. Publication No. 262, Mary Ruth Colby, Problems and Procedures in Adoptions (Washington, D.C., 1941), p. 73.

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- b. A statement of the Department's estimate of the child as a proper subject for adoption.
- c. A statement of the Department's estimate of the suitability of the home for the child.
- d. A statement of the Department's recommendation:
  - (1) If the Department recommends that the petition be granted, the parents' consents in the possession of the Department must be attached to the report. There must be a statement that the Department has accepted the parents' consents, or the Department consents.
  - (2) If the Department recommends that the petition be denied, the section on consents must show that the consent of the parent was signed in the presence of an agent or notary, as the case may be, on the given date; but no reference will be made to the consent in the recommendation. The recommendation should show only the reasons for denial. In such cases the consent will be attached to the report. If the consent of the Department is necessary, the recommendation must show the reasons for denial and that the Department refuses to consent.

### 3. Types of Report

#### a. Complete report, content described above.

- (1) A recommendation of approval shall be made when it is determined that the child is a proper subject for adoption and that the home is suitable for the child.
- (2) A recommendation of denial shall be made in every case in which the investigation during the 180-day period or extension of time fails to establish that the child is a proper subject for adoption or the proposed home is suitable for the child. This shall include the following situations in which the child is too young for adequate testing:
  - (a) When nothing is known of one natural parent, and the investigation establishes that the other natural parent is of dull, normal or low intelligence;
  - (b) When it is not possible to obtain adequate information on either of the natural parents. This is particularly true in the case of a foundling or an abandoned child and would cover those cases in which the attorney may be using the abandonment procedure to prevent an interview with parents by the representative of this Department.

In both instances, final determination that the child is a proper subject for adoption shall be made only after complete physical and psychometric testing.

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Because of the feeling of some petitioners and attorneys against denials, a recommendation of denial without prejudice to the petitioners may be made if the investigation has been completed and the adoption appears socially desirable, but there is some obstacle, which cannot be cleared at the time. When the obstacle is finally cleared, the Department can file a supplementary report recommending approval.

In all instances of denial, the attorney may prefer to dismiss the petition rather than have a denial filed by the Department. The matter shall, therefore, be discussed with him in ample time to allow him to file a dismissal before the report is due.

- (3) A conditional recommendation of approval may be made when a legal determination is involved. It shall never be used, however, in order to escape responsibility for a definite decision when the matter is one involving judgment. Conditional recommendations may be made in the following instances:
- (a) When the child has been awarded to the mother by judicial decree and the father has willfully failed to contribute to its support for the period of one year when able to do so.
    - 1) If the petition alleges that the father's consent will be eliminated by court determination under Sec. 224, Civil Code, as having willfully failed to contribute when able; or
    - 2) If copy of the citation (either for personal service or by publication) is submitted by the attorney.
  - (b) When the child is to be declared free from the custody and control of the parents.
    - 1) If an endorsed copy of the petition to declare him free from the custody and control of his parents is furnished to the Department; or
    - 2) If notice of the filing of such petition is received from the Juvenile Court.
  - (c) When there is a presumptive father, or more than one presumptive father, necessity for whose consent is to be eliminated by court action prior to the adoption hearing, if the facts disclosed by the Department's investigation support the mother's claim that he is not the natural father.
  - (d) When the certificate from the superintendent of a State hospital or the State Director of Institutions qualifies the statement that the parent will not be capable of controlling or supporting the child in a proper manner by such phrases as "I believe" or "in my opinion".

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- (e) There may be other instances where a conditional recommendation of approval may be desirable. It should be made, however, only with the approval of the supervisor of the Adoption Unit.

b. Supplemental Report.

- (1) When a petition has been denied without prejudice, either because a statutory provision has not been met or because a determination could not be made at the time that the child was a proper subject for adoption, a supplementary report recommending that the petition be granted may be filed when the obstacle is cleared. It will not be necessary for a new petition to be filed if the original petition has not been heard.
- (2) After the submission to the court of the complete report with recommendation, the Department may be requested by the court to file a supplemental report giving additional information. Such report will always be filed upon request.
- (3) The Department is sometimes asked by the petitioners or their attorney to file a supplemental report in instances where its final report has recommended denial but the petition has never been heard, and in the succeeding years, circumstances have changed.
  - (a) The Department may make the requested investigation and report.
  - (b) It may be desirable to request the attorney to file an amended petition, setting forth the new facts, and to submit a copy of the amended petition to the Department.

c. Appeal report. (See Item 6, Sec. 2325)

4. Request for extension of time for filing report.

a. Legal basis:

Except in the case of the adoption of a child by a stepparent where one natural or adoptive parent retains his or her custody and control, it shall be the duty of the Department of Social Welfare to submit to the court a full report of the facts disclosed by its inquiry with a recommendation regarding the granting of the petition, within 180 days after the filing of the petition, provided, however, that the court may allow such additional time for the filing of said report as in its discretion it may see fit.

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b. When extension may be requested.

An extension of time may be requested when it is evident that the obstacle which makes a recommendation of approval impossible at the time can be cleared within a reasonable period. It is not contemplated that requests for extensions shall be made because of delays which are the result of negligence on the part of the Department. The request should be in the hands of the supervisor at least fifteen days before the due date of the report to allow time for the granting of the request by the court and to insure that no report will be late.

Instances in which extensions may be requested are as follows:

- (1) When an essential piece of documentary evidence has not been received.
- (2) When a petition is to be filed to have the child declared free from the custody and control of his parents, if such petition can be filed within the limit of an additional 180 days.
- (3) When the petitioners wish time to make certain adjustments which are deemed desirable before the adoption can be recommended.
- (4) When the child's development is slow, or when there is a doubtful hereditary background, and the petitioners agree with the Department that a further period of time should be allowed for the study and observation of the development of the child before a final decision is reached.
- (5) When the petitioners, or their attorney, for some specific reason, have requested the Department not to proceed with the investigation at the time.

c. Procedure for Securing Extensions

- (1) Address written request to the court, giving explanation of necessity for such extension of time (Form Adop M19).
- (2) Submit the request, together with three copies of the form, for authorization of the extensions (Form Adop M34). This should be directed to the county clerk, with one copy to the attorney for the petitioners, and the clerk should be instructed to retain one copy of the authorization for his files.
- (3) When the authorization is received, file one copy in the adoption case record, and send one copy to the attorney for the petitioners.
- (4) A copy of the letter to the attorney transmitting signed authorization of extension (Form Letter Adop M39) shall be sent to the Bureau of Adoptions in Sacramento. A copy may also be sent to the petitioners if the agent considers it necessary.

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If the order authorizing the extension is not returned from the court within a reasonable length of time, clearance shall be made with the judge. If the authorization has not been returned and no word has been received from the court by the 175th day, or, if the judge has refused to authorize extension, a full report of all information which has been obtained up to that date must be filed, with recommendation of denial. This must be in the hands of the court within the 180-day period.

d. Content of Request

The request shall include the following:

- (1) The names of the petitioners, the date on which petition was filed, and the original due date.
- (2) A statement of the status of the case, giving reason for the request for extension of time. This should be specific and full enough to give the judge a true picture of the obstacle which prevents the completion within the time allowed by law.
- (3) When the attorney, or the petitioners, or both, concur in the request, a statement should be included to that effect.
- (4) A statement of the specific number of days needed within which to file the final report.

e. Length of Time to be Requested

The extension requested shall be for the period of time estimated as adequate to clear the obstacle to the filing of the final report. Ordinarily, the extension should not exceed ninety days. If the obstacle cannot be cleared within that time, a second request may be filed asking for an additional period, not to exceed ninety days. The total extensions requested should not ordinarily exceed 180 days, or a total investigation period of 365 days. If the obstacle is not cleared by that time, the final report shall be filed, with recommendation of denial without prejudice if that is deemed advisable.

There may be exceptions, including the following:

- (1) If the woman petitioner is pregnant, it may be necessary to ask for an extension beyond the additional 180 days, pending the birth of the child.
- (2) If there is a health condition which is in process of being cleared, for example, awaiting a negative serological, further extension may be requested.

If it is necessary to request a longer extension, report of the circumstances shall be sent to the Adoption Bureau.

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5. Submission of copy of report to attorney for the petitioners

- a. Whenever any report or findings are submitted to the court, a copy of such report or findings must be submitted to the attorney for the petitioners when they have an attorney, and otherwise to the petitioners. (Sec. 226, Civil Code)

6. Appeal

- a. Appeal may be filed in the Superior Court of the county in which the petition is filed. (Sec. 226, paragraph 9, Civil Code)

(1) By the natural parent or parents, or

(2) By the petitioners.

- b. Grounds for appeal are:

(1) Failure or refusal of the State Department of Social Welfare, within 180 days from the date of the filing of the petition, or the expiration of any extension of time granted by the court, to accept the consent of the natural parent or parents; or

(2) Failure or refusal of the State Department of Social Welfare to give its consent to an adoption in those cases where its consent is required.

- c. The procedure is as follows:

(1) The clerk of the court shall immediately notify the State Department of Social Welfare of such appeal.

(2) The State Department of Social Welfare shall file a report of its findings and the reason for its failure or refusal to consent or to accept the consent of the natural parent. A copy of the report must be sent to the attorney for the petitioners, or if they have no attorney, to the petitioners. If the agent has no further information to add to the full report already filed, the report can be a statement that there is no new information and that the recommendation of the State Department of Social Welfare is based on the findings contained in final report.

(3) After the filing of the findings of the State Department of Social Welfare the court may, if it deems that the welfare of the child will be promoted by the adoption:

(a) Allow the signing of the consent by the natural parent or parents in open court.

(b) If the appeal is from the refusal of the State Department of Social Welfare to consent, grant the petition without such consent.



2330 COURT APPEARANCE

2330

1. The person or persons desiring to adopt a child and the child proposed to be adopted must appear before the court. (Secs. 227 and 227aa, Civil Code)
  - a. Exception
    - (1) Provision is made for exception if the adoptive parent is commissioned or enlisted in the military service or auxiliary thereof of the United States, or any of its allies, or in the American Red Cross, and appearance is impossible or impractical. In such cases appearance may be made for such person by his or her counsel, commissioned and empowered in writing to do so. (Sec. 227, Civil Code)
2. The court must examine all persons appearing before it, each separately. When appearance is made by counsel, the court may, in its discretion, cause such examination of the adoptive parent, other interested party, or witness to be made upon disposition, as it deems necessary. (Sec. 227, Civil Code)
3. Departmental representation
  - a. There is no legal requirement that the Department have a representative in court, and it is not customary to be so represented, except upon request of the court, petitioners, or their attorney.

2335 ACTION OF COURT TO GRANT THE ADOPTION

2335

1. If the court is satisfied that the interests of the child will be promoted by the adoption, the party or parties adopting shall execute or acknowledge an agreement in writing that the child shall be treated in all respects as a lawful child of the party or parties.

In those cases where the adopting parent is permitted to appear by counsel the agreement may be executed and acknowledged by such counsel for such absent parent or may be executed by such absent parent before a notary public or any other person authorized to take acknowledgements, including the persons authorized by Section 1183 and 1183.5 of the Civil Code. (Sec. 227, Civil Code; see sample form - Consents of Parties to Adoption, Appendices, Sec. 2935)

  - a. The court shall thereupon make an order awarding the custody of the child to the adopting parent or parents, (Sec. 227, Civil Code)
2. The petition, relinquishment, agreement and order, and any power of attorney and deposition must be filed in the office of the county clerk and shall not be open to inspection by any person other than the parties to the action and their attorneys, and the State Department of Social Welfare, except upon the written authority of the judge of the Superior Court. (Sec. 227, Civil Code)

2340 SOCIAL SERVICE EXCHANGE, USE OF

2340

1. Registration. While registration procedures differ, ordinarily all cases assigned to the San Francisco and Los Angeles district offices should be registered with the Social Service Exchange in San Francisco and Los Angeles respectively. There may be instances, however, when this is not true.

Registration shall be made in the names of the petitioners, the parents, and the child. If the natural mother is not married to the natural father, his name and that of her parents shall appear under "others."

2. Clearances. Clearances shall be made as soon as possible after the case is received, and subsequent clearances shall be requested as indicated. Clearances shall be in the names of the petitioners, the natural parents, her parents, if indicated, and the child.

The district office to which the case is assigned will make the clearance through the Exchange in its district, which will clear with its own records and those of any other city in this State which the district may request, or in any city in the United States which is a member of the National Social Service Exchange Organization.

The clearance slip shall contain the following information: case number, as much identifying information as possible, including birth dates, full names, any aliases, present address, and at least one previous address, if known. If the natural mother is unmarried, she should be listed as the client, and the natural father's name should appear under other persons for whom clearance is indicated.

Notation should be made on the bottom of the slip when clearance in some other city is desired.

3. Review of Records of Other Agencies. Clearances with the agencies with which the parties are registered may be made in person, by telephone, or by letter, according to the working agreement with the particular agency. It may not be necessary to review the records of all agencies, but essential records shall be reviewed as promptly as possible.

If the agency is in another district, request for information or a resume of the record may be made to the agency by letter by the district to which the case is assigned, or the first district may request the other district office to review the record. When such a request is made, the first district shall include a full report of registrations with agencies in the second district.

If the agency is in another state, the request for information or for a resume of the record shall be made by letter by the district to which the case is assigned.



2345 VERIFICATIONS

2345

## 1. Evidence desired:

- a. Birth certificate of the child;
- b. Marriage record of natural parent or parents at time of child's birth;
- c. Record of previous marriages of either parent, and subsequent deaths or divorces of spouse in each case;
- d. Record of subsequent marriages of mother and record of termination of marriage;
- e. Marriage record of petitioners;
- f. Record of any previous marriage of either petitioner;
- g. Record of divorce, annulments, or death of the spouse in each previous marriage of either petitioner.

## 2. Satisfactory evidence listed in order of preference:

- a. A certified copy of the document (certified to by the proper officer in whose custody the records are kept);
- b. A certified photostatic copy of the document;
- c. The original document upon which appears the notation by the proper authority that it has been recorded in the proper public file.
- d. Letter or form from the proper official in whose custody the records are kept stating that the document is recorded.

## 3. Less satisfactory evidence, listed in order of preference, which may be used where none of the above verification can be secured:

- a. Original document not marked, as in 2 c, above;
- b. Photostat of original document not marked recorded, as in 2 c, above.

2350 MEDICAL REPORTS AND INFORMATION

2350

1. Reports

Departmental policy requires that medical reports for the child and the petitioners be completed by a doctor who is licensed as a physician and surgeon under Chapter V of Division 2 of the Business and Professions Code. (This relates to physicians possessing M.D. degrees and those possessing D.O. degrees who have a physician's and surgeon's certificate.) If necessary, clearance on any individual physician may be made with the Board of Medical Examiners or the Board of Osteopathic Examiners.

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## 2. Tests for Syphilis

In making the requirement that there shall be a blood test for syphilis on the child (see Sec. 2310) the Department is acting on the advice of the Bureau of Venereal Diseases of the State Department of Public Health. It recognizes that there are differences of opinion among physicians regarding the necessity for such tests, that they are often difficult to obtain, and that there may be opposition to the requirement on the part of the attending physician and the petitioners.

The Bureau of Venereal Diseases states that it is not difficult to secure a specimen of blood, even in the case of a very young infant, and has issued mimeographed instructions for securing a specimen and for the diagnosis of congenital syphilis. Physicians who have occasion only frequently to obtain blood specimens on children may not be as skillful as others and may be reluctant to do this type of test, but pediatricians, laboratory technicians, or physicians attached to health departments who are in a position to maintain their skill in this area will not hesitate to take a blood specimen on a small infant or young child.

Should the attending physician be unwilling to do the test, the petitioners may request that he refer them to a private laboratory, or the petitioners may go to any full-time health department to obtain the test. The agent might point out these two possibilities to the petitioners. If such action seems indicated, it will be advisable first to inform the physician that the serological on the child is a mandatory requirement of the Department. Should the physician still be unwilling to do the test, the agent may then suggest to petitioners the other possibilities. In such situations, it is important that the physician-patient relationship be protected, since the physician will have continuing responsibility in the care of the child.

A serological test on blood taken from the cord at birth is not a highly valuable test. Blood taken from the vein of the mother at time of delivery should give the same results as the cord test and is considered the preferable means of obtaining the specimen.

It is entirely possible, in a very small percentage of cases, for a child to have syphilis even though blood tests taken on the mother during pregnancy and at the time of delivery are negative. For example: A mother may be exposed to infectious syphilis a month before delivery and have a primary syphilis lesion on the genitalia at the time of delivery before the blood test of the mother or child turns positive. In a case of this kind, the child may develop either congenital or acquired syphilis but the blood test of the mother and child could both be negative at the time of birth but turn positive shortly thereafter.

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2350 (Continued)

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If a blood test on a child at birth is positive but the child appears to be well, a second test should be made at one month. If this is positive, the chances are that the child has syphilis but if the child is clinically well, treatment should not be started until the results of a series of tests are known. If subsequent tests are negative, the child should be checked several times during the first two years of life, that is, at one, two, three, six, twelve and twenty-four months. The Bureau of Venereal Diseases advises that treatment should not be started when only one positive serological report has been obtained on the infant.

The diagnosis of congenital syphilis should not be accepted as conclusive unless a series of tests have been made, and treatment should never be started until a definite diagnosis is made. It is possible that a positive laboratory finding on a child may not mean that the child has congenital syphilis and if treatment is started on the basis of only one positive laboratory finding it will never be possible to prove that the child does or does not have syphilis. Such cases can be referred to the Bureau of Venereal Diseases for further advice as to action to be taken by the Department.

In any case where the results of tests of the mother and child at time of delivery are different, further tests should be carried out to determine whether the child is actually infected before treatment is started.

If a child is found to have syphilis, the circumstances in the particular case will determine whether an extension of time shall be requested for further observation or medical study or whether a recommendation of denial shall be made.

The Bureau of Venereal Diseases advises that in all nonspecific or low titer reactions on blood tests for syphilis on adults or children (e.g.,  $\pm$  1,  $\pm$  2, or  $\pm$  3 findings on blood tests) a series of tests should be made every two weeks over a three months' period before the diagnosis of syphilis is actually established. There should also be a complete physical examination of the patient, including an examination of the eyes. Treatment should not be started until a series of blood tests have been done and it has been established with reasonable certainty that the disease is present. If treatment has been undertaken, the blood test will be negative following even a few treatments, and it will not be possible to determine whether the patient really has the disease.

In any case in which the petitioner, as a result of a test, is diagnosed as having syphilis he should have a spinal fluid examination and a careful physical examination to detect the presence or absence of other manifestations of syphilis. This is necessary regardless of the length of time he may have had the disease. The results of the spinal fluid examination and physical examination must be known before an evaluation can be made of the suitability of the petitioner as an adoptive parent. When the petitioner has had treatment for

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2350 (Continued)

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syphilis, a quantitative report of spinal fluid findings after the treatment has been administered and also a report of the general physical examination given after treatment should be requested to determine whether there has been any organic involvement which may affect the petitioner's general health in the future.

A spinal test should be done in those cases where treatment has been undertaken without a series of quantitative blood tests, and the original test shows nonspecific reaction. If spinal fluid findings prove negative, there would be no obstacle to the adoption.

### 3. Consultation with State Department of Public Health

The supervisor of the Adoption Unit may make the request directly to the branch office of the Bureau of Venereal Diseases. The information submitted should include reports on the quantitative blood test done and a complete laboratory report.

If the district office is undecided as to what recommendation is indicated on a case in which there is a question of a syphilitic condition, the Bureau of Venereal Diseases will give advice if complete reports are submitted to the Bureau. These should be sent by the district to the appropriate branch office of the State Department of Public Health. The reports submitted should include quantitative blood test findings, and a complete laboratory report of the spinal fluid test (e.g., cell count, total protein determination, and colloidal gold curve).

If the district office is unable to reach a decision on a case in which the medical report received on the child or petitioner indicates the presence of serious medical problems (such as tuberculosis, multiple sclerosis, diabetes, etc.), it may ask the advice of the State Department of Public Health. If the case is one where tuberculosis appears, it may be discussed with the branch office of the Bureau of Tuberculosis. Other types of medical problems should be sent to the Bureau of Adoptions in Sacramento for referral to the Bureau of Maternal and Child Health for advice.

It will be necessary to submit complete medical information before the Department of Health can give their appraisal of the medical situation. The Bureau of Tuberculosis requests that they receive the x-ray film in each case involving tuberculosis. Either the patient or the agent, with the permission of the patient, should, therefore, request the private physician to send the x-rays to the Department of Health, Bureau of Tuberculosis. It should be made clear to the physician, however, that this is being requested only for the purpose of evaluating the medical situation in terms of its effect on the Department's recommendation on the adoption and that the Bureau of Tuberculosis is the Department's source of advice. Since it is not possible to make a general statement as to the type of medical information the Department of Health's physicians will need in other types of illnesses, these situations should be handled on an individual case basis.



## 2355 INTRA-STATE AND INTER-STATE REQUESTS

2355

## For Interviews with Natural Parents, Petitioners, Collateral Calls

## 1. Request

When one district office requests another office or an agency in another state to interview a natural parent or petitioner or to make a collateral call, the request shall include the following basic information and shall be set up according to the following outline:

- a. Due date of petition; if urgency mark "urgent" and specify date needed;
- b. Tabulate the names and addresses of the individual or individuals to be interviewed and give any other information which might be helpful to the person taking the interview, such as directions for reaching the home, when interviewee may be seen, and whether an office interview will be acceptable.

## (1) Natural Parents

If the requesting office has obtained partial information, statement shall be made of the points already cleared, and the request shall specifically stipulate the points to be cleared or emphasized. If no contact has been had, request shall be made for a complete interview according to outline. If the request is sent to an out-of-state agency, a copy of Form Adop M67, "Information Concerning Parent of Child to be Adopted" shall be included.

If the request is to secure consent for adoption of a child born in wedlock, information shall be given as to whether the consent of the other parent has been obtained, or whether such consent is not necessary and, if unnecessary, why; and the length of time the child has been in the home. If further clearance is necessary to show the status of the child this shall be requested specifically.

Consent forms shall be attached, made on the proper form and with the verified information regarding the birth of the child. If this information has not yet been verified, it shall be so recorded. The form shall be left blank regarding the child, but information shall be recorded regarding the petitioners and action number.

There shall be a brief paragraph regarding the petitioners, their home, the adjustment of the child to the home, and whether or not the home appears satisfactory. This is important, as many parents wish information regarding the petitioners before reaching a decision. If the request is made before the petitioners are interviewed, it shall so state, and shall give whatever information is available from the petition or questionnaire.

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## (2) Petitioners

The request shall include a brief statement of information already obtained regarding the petitioners. If the office making the request has no information, there shall be a statement to that effect and a request for a complete report according to outline.

The requesting office shall indicate whether the natural parent has been interviewed and consents obtained, and any information regarding the child which would be helpful to the interviewer or which should be discussed with the petitioners.

## (3) Collateral Calls

The request shall specify the particular points to be cleared and indicate any other information which would be desirable.

If, after making a request, the requesting district finds that the interview is no longer necessary, it shall immediately notify the second district.

## 2. Reply

- a. An attempt shall be made to clear the request at the earliest possible moment. If the second district writes to the interviewee requesting a conference, a copy of the letter should go to the requesting district. If there is an unusual delay, the second district shall notify the requesting district.
- b. The report back to the requesting office shall be in narrative report form according to outline (for petitioners or natural parents) and shall be sent with a covering memo of transmittal.

When the request is for specific information only, the point in question shall be fully covered, and any other information pertinent to the adoption which may have been obtained should be included. The report shall be in outline form even though it may cover only a partial investigation.

2360 SERVICES TO AGENCIES IN OTHER STATES

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1. Requests from agencies, either public or private, in other states, for investigation or services in connection with adoptions should preferably be directed to the Sacramento office of SDSW, for referral to the proper agency. They may, however, be directed to the district office of SDSW, to the Children's Home Society, or to the county welfare departments.

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2360 (Continued)

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If the district office receives such a request directly from the agency it shall send to the Adoption Bureau a copy of the letter with notation that the matter is being handled by it.

Requests received by the Department involving either an adoption or placement for adoption will be sent to the Bureau of Adoptions and referred by it as follows:

- a. To the County Probation Officer -- any request for service involving a stepparent adoption.
- b. To the Children's Home Society
  - (1) Requests for interviews with individuals, or exploration of any factors concerning the background of a child being considered for placement for adoption by the referring agency.
  - (2) Request for a home study of a specific child whose circumstances are such that placement outside his own state is indicated. These would fall primarily in the area of special races or religions, or children already known by foster parents now residing in California.
  - (3) Requests for supervision of a foster home in which a child has been placed by the referring agency prior to their moving to California, or when the agency has participated in placement plans for the reasons outlined in b, the adoption to be completed by the agency making the placement.
- c. To the Adoption Unit in the District Office
  - (1) Any request to obtain consent or interview a natural parent residing in California when the adoption is to be consummated in the other State, whether the placement was made independently or through an agency.
  - (2) Any request for supervisory visits to the home of petitioners with whom a child has been placed independently in another state, and adoption is to be completed in the other state.
  - (3) Any request for the investigation of a foster home when placement has not yet been made but the adoption is to be consummated in California as an independent adoption.
  - (4) Collateral calls other than routine reference calls. Agencies requesting reference calls are notified by the Department that time does not permit the Department to undertake that service.

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## 2. Investigation

The investigation shall be made or other service requested by the agency shall be rendered as promptly as possible and with the same thoroughness as though the Department were making the entire investigation. If the agency does not submit an outline for interview, the appropriate outline used in this State may be followed in interviewing and dictating.

When the request involves not only the investigation but permission to send a child into the State, the agency receiving the request shall state in its reply to the out-of-state agency that the California law does not require permission to bring a child into the State. It shall suggest, however, that the agency clear with the welfare department of the county in which the child is to be placed for its approval of the entry of the child into the State, as there might later be a question in regard to the dependency of the child.

## 3. Report

The report shall be in narrative report form, with covering letter of transmittal to the agency. Make five copies of the report - two for out-of-state agency (unless an additional copy is requested), one for the district office and two for the Child Welfare Division. This applies to requests sent directly to a district office by an out-of-state agency, referred by the Children's Home Society, or referred by the Child Welfare Division.

The report shall be informational only and shall not include any recommendation, as the Department has no authority to recommend except on a petition filed in this State.

Information regarding placement may be omitted from the report if it is not pertinent. It shall be obtained, however, and a statement attached to the copies of the report for the district office and the Child Welfare Division covering the following points:

- a. How did the individual learn of the agency?
- b. How was placement arranged?
- c. Statement of individuals as to information furnished by them to the agency, and by the agency to them regarding the child.
- d. Any other information obtainable regarding policies, procedures, and practices of the out-of-state agency.

This material is important, since it may assist the Department in developing better inter-state placement practices.



### 1. Release of Information in Case Records

When any of the following public or private welfare agencies specified in Section 227 aaa of the Civil Code: (1) the Juvenile Court, (2) any county welfare department, (3) any public welfare agency, or (4) any private welfare agency licensed by the Department, requests information concerning an adoption petition, either pending at the time or closed, the information may be furnished to it if the agent and supervisor consider that the welfare of the child will be promoted thereby. Pertinent information may be given either verbally or in writing. The narrative shall show what information was given, when, and to whom.

Although the welfare of the child is the determining factor in releasing information, the agent should exercise care in the investigation to protect all parties, particularly the natural parents, in requests which it may make to other agencies, institutions, or individuals for information regarding the proposed adoption.

Care should be taken in requesting school records where parents are well known, even though the parent may have signed an authorization for release of information. In requesting school records, however, it is not necessary to state that the mother has had a child or that the request is in connection with an adoption.

### 2. Use of Information Given to Department Confidentially

When information has been given to the Department on written authorization by the parent or petitioners, it may be used in the court report or released to other agencies as provided in Section 227 aaa.

If information is given to the Department by any other agency or any individual other than a reference, without authorization, it may be necessary to treat it in strict confidence and not give the information and source of information in the court report without the permission of the informant.

## 2370 ACTION FOLLOWING FILING FINAL REPORT RECOMMENDING DENIAL

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In those cases on which the Department's recommendation is to be denial because the child is not a proper subject for adoption; because the child of questionable or unknown background is too young for adequate physical and psychometric testing; because some statutory provision has not been met; or, because the home is not a suitable one, but the indications are that the child will remain in the home, action should be as follows:

1. In the majority of cases the natural mother should be notified, giving her the reason for denial and informing her if the child is to remain in the home of the petitioners.
2. In some instances it may be well to recommend legal guardianship proceedings as a safeguard for the child.
3. If the child is in the home of a relative, is receiving good care, and the home situation is satisfactory, no further action will be necessary.
4. If the child is under sixteen years of age, is not related to the petitioners, and the home situation is not sufficiently bad to indicate Juvenile Court action, the agent shall notify the petitioners at the time of filing the report that a boarding home license will be necessary if the child remains in their home and shall furnish them with the name of the accredited or inspection agency. She shall also send notification to the accredited or inspection agency, with copy to the member of the field staff concerned, that the child is in the home and that the Department has recommended denial of the petition for adoption, specifying the reason for denial. (See SDSW Regulation Boarding Homes #16)
5. If the home is unsuitable and the condition is a flagrant one, either by reason of the character of the petitioners or the treatment being given to the child, the case shall be referred to the Juvenile Court by the agent or supervisor. This may be done verbally or in writing, but all essential information should be given to the court. If it is given verbally, the narrative shall contain a statement of what information was given, when given, and to whom.



## 2375 FREE LEGAL SERVICE

2375

Free legal service is sometimes available through legal aid societies, a public defender, city or county attorney, or other attorney referred through the Bar Association or designated by the court, in instances where an adoption seems socially desirable but the petitioners do not have sufficient funds to pay a private attorney.

In Los Angeles:

Legal Aid Foundation of Los Angeles, 106 West 3rd Street, Los Angeles 13, phone MUTual 9126; office hours 9 to 5 daily; 9 to noon Saturday. Clients should call between 1 p.m. and 3 p.m. Gives legal aid services to persons who are financially unable to retain private counsel for protection of their legal rights.

Legal Aid Committee of Long Beach Bar Assn., 300 Jergins Trust Bldg., 100 E. Ocean Blvd., Long Beach 2, phone L.B. 614-92; office hours 9 to 5 daily; Saturday 9 to noon.

Voluntary service by attorneys to persons without sufficient funds to retain private legal counsel.

In Sacramento:

Legal Aid Clinic, 4th Floor Elks' Building, 11th and J Streets, phone 3-7985; office hours 8:30 to 5:00 daily, Saturdays 8:30 to noon.

Attorneys appointed by Sacramento Bar Assn. give legal aid to indigent persons. Applicant must be referred by recognized social agency.

In San Francisco:

Legal Aid Society of Alameda County, 408 12th. St. Oakland 7, phone GLencourt 9261. Advice given on legal problems; court cases handled upon recommendation. Services available to all parties unable to employ private counsel.

Legal Aid Society of San Francisco, 1160 Phelan Bldg. San Francisco 2, phone GARfield 7337. Free legal advice to persons unable to pay for service of private attorney.

2430 EVIDENCE OF SOLE CUSTODY AND CONSENT

2430

1. Independent Adoptions

Such consent, when reciting that the person giving it is entitled to the sole custody of the minor child shall, when duly acknowledged before an agent of the State Department of Social Welfare, be prima facie evidence of the right of the person making it to the sole custody of the child and such person's sole right to consent. (Sec. 226, paragraph 2, Civil Code)

2. Agency Adoptions

Such relinquishment, when reciting that the person making it is entitled to the sole custody of the minor child shall, when duly acknowledged before such officer, be prima facie evidence of the right of the person making it to the sole custody of the child and such person's sole right to relinquish. (Sec. 224m, paragraph 1, Civil Code)

3. Statement of Sole Custody

The statement by the person signing the consent that he or she has sole custody, however, is not conclusive evidence of the fact, and may be refuted by other verified information.

When there is a presumptive father, or more than one presumptive father, but there has been no court action taken to determine the parental relationship, and no plan for court action, the Department can not recommend approval of the adoption.

Procedure on such cases will be as follows:

- a. As soon as the investigation indicates that there may be a question regarding the legal status of the child and that the mother desires to consent as having sole custody, there shall be an immediate clearance with the attorney calling to his attention the necessity for some action to clear parental relationship. The advantage of having this determination precede the final report shall be discussed with him, i.e., that there be no delay or possible cloud on the adoption. It is also important to have this discussed at an early point in the investigation, as only the mother or father may question the parental relationship and the attorney will wish to take action while the parent is available. (AGO 7948, NS3778)
- b. It is preferable that a copy of the court order determining paternity or overcoming the presumption of legitimacy be submitted before the final report is filed so that a definite recommendation of approval can be made by the Department.

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2430 (Continued)

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If such an order has not been obtained, however, conditional approval may be given in the court report if the attorney states that he will have a hearing on the question prior to the adoption hearing and the facts disclosed by the Department's investigation support the mother's claim that she is entitled to sole custody.

2440 CONSENT OF THE CHILD TO BE ADOPTED

2440

1. The consent of a child, if over the age of 12 years is necessary to its adoption. (Sec. 225, Civil Code)
2. The law does not specify whether this consent shall be written or oral, nor in whose presence it shall be signed. The following methods are used:
  - a. Written consent may be signed in the presence of an agent of the Department. In independent adoptions the Department as part of its investigation, before filing its report to the court, must ascertain whether the child is consenting.
  - b. Written consent may be signed in the presence of the Judge of the Superior Court at the time of the adoption hearing.
  - c. Written consent signed before a notary may be secured by the attorney and filed with the petition.

2450 CONSENT OF THE PETITIONERS

2450

1. Each spouse must consent to the adoption of the child by the other spouse, provided the husband or wife is capable of giving such consent. This is true whether both spouses join in the petition or one spouse petitions. (Sec. 223, Civil Code)
2. The law does not specify whether this consent shall be written or verbal, or in whose presence it shall be signed.
  - a. It is customary to have such consent signed in court.
  - b. Such consent is sometimes secured in writing, witnessed by a notary and filed by the petitioners or their attorney.

2460 CONSENT OF GUARDIAN OF CHILD TO BE ADOPTED

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1. The Department in its investigation consults the guardian, ascertains his opinion of the proposed adoption. If possible, the written consent of the guardian should be secured and filed with the report to the court.

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## CHAPTER VII

## OTHER LEGAL PROVISIONS RELATING TO ADOPTIONS

2600 ACTION TO HAVE ADOPTION SET ASIDE

2600

1. A decree of adoption may be set aside by the court (Sec. 227b, Civil Code):
  - a. If any child adopted under the provisions of the Adoption Law
    - (1) Shows evidence of being feeble minded, epileptic, or insane;
    - (2) As a result of conditions prior to adoption;
    - (3) Of which conditions the adopting parent or parents had no knowledge or notice prior to entry of the decree for adoption.
  - b. If such facts are proved to the satisfaction of the court, and
  - c. If the petition setting forth such facts is filed within five years after entering of the decree of adoption.
2. Notification of Action, Hearing, and Procedure
  - a. The clerk of the Superior Court of the county wherein the action is brought shall immediately notify the State Department of Social Welfare of the action, and shall also notify the Department of the time and place of hearing.
    - (1) Within 60 days after such notice the State Department of Social Welfare shall appear before the court to represent the child.
    - (2) The Department (Adoption Bureau) sends acknowledgment of the receipt of the notice to the clerk of the Superior Court with a copy to the attorney for the petitioners.
    - (3) The agent to whom the case is assigned:
      - (a) Writes the Attorney General, attention the deputy in charge, at Sacramento, San Francisco, or Los Angeles, depending upon the location of the local office of the Department handling the matter (1) that an action has been brought. (2) the name of the agent assigned to the case, and (3) request that he represent the Department in the action;

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2600 (Continued)

2600

- (b) Makes as complete an investigation of the petition as may be necessary to determine the facts in the case;
  - (c) Prepares and forwards to the Attorney General (in the proper district office) a statement of the facts pertaining to the adoption, including all the information possessed by the Department as to the knowledge of the adopting parents of the child's condition prior to the entry of the decree of adoption.
  - (d) Discusses with the Attorney General the report, if any, which the Department should file with the court, and anything further he may wish from the Department.
  - (e) On receipt of the notice of time and place of hearing, notifies the Attorney General (in the proper district office) of the time and place of hearing, and arrange for the appearance of a representative of the Attorney General at the hearing. (AGO NS 755)
3. Action Following Whenever Decree of Adoption Set Aside. (Sec. 227c, Civil Code)

a. The court:

- (1) Shall direct the district attorney or a psychopathic probation officer, or any suitable person, to take proceedings under the respective chapter of the Welfare and Institutions Code relating to commitment of insane or feeble minded or epileptic persons as the case may be.
- (2) It may also make such order relative to the care, custody, or confinement of the child pending the proceedings as it sees fit.
  - (a) The county in which the adoption proceedings were had shall be liable for the support of the child until he shall have been declared sane, or restored to capacity, and in any event until he is able to support himself.

2605 ACTION TO SET ASIDE A COURT ORDER

2605

1. Relief from judgment taken by mistake, etc. The court may, upon such terms as may be just, relieve a party or his legal representative from a judgment, order, or other proceeding taken against him through his mistake, inadvertence, surprise or excusable neglect. Application for such relief must be accompanied by a copy of the answer or other

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2605 (Continued)

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pleading proposed to be filed therein, otherwise the application shall not be granted, and must be made within a reasonable time, in no case exceeding six months, after such judgment, order or proceeding was taken. (Sec. 473, Code of Civil Procedure)

2610 ACTION TO HAVE CHILD DECLARED FREE FROM CUSTODY AND CONTROL OF HIS PARENTS 2610

1. The jurisdiction of the Juvenile Court extends to any person under the age of 21 years who should be declared free from the custody and control of his parents, under certain provisions outlined in Sec. 701, Welfare and Institutions Code.
  - a. Proceeding to declare a person free from the custody and control of his parent is contained in Secs. 775-786, Welfare and Institutions Code.
2. Anyone asking information regarding the procedure whereby a child may be declared free from the custody and control of his parents should be referred to Secs. 701 and 775-786, Welfare and Institutions Code, and referred to the local probation officer for advice on assistance in filing the necessary petition.
3. Consent of the parent to the adoption is not necessary when a father or mother has been judicially deprived of the custody and control of such child by order of the Juvenile Court, declaring such child to be free from the custody and control of such parent. (Sec. 224, Civil Code; Chapter V, Secs. 2400 - 2490)

2615 ACTION TO HAVE A CHILD DECLARED A WARD OF JUVENILE COURT

2615

1. The jurisdiction of the Juvenile Court extends to any person under the age of 21 years who comes under the provisions of Sec. 700, Welfare and Institutions Code.
  - a. Proceeding to declare a person a ward of the Juvenile Court, a commitment, and other disposition of wards is outlined in Secs. 720-750, Welfare and Institutions Code.
2. A child made a ward of the court under the provisions of Sec. 735 or committed under the provisions of Sec. 740 of the Welfare and Institutions Code, is not legally free for adoption without the consent of his parent, whose consent is otherwise necessary to adoption under Sec. 224, Civil Code.



2620 LEGITIMACY AND PARENT-CHILD RESPONSIBILITY, PROVISIONS OF  
CIVIL CODE

2620

1. Children by birth.

## a. Legitimacy of children born in wedlock.

All children born in wedlock are presumed to be legitimate. (Sec. 193, Civil Code; AGO 7948)

## b. When a child becomes legitimate.

A child born before wedlock becomes legitimate by the subsequent marriage of its parents. (Sec. 215, Civil Code)

## c. Who may dispute legitimacy of a child.

The presumption of legitimacy can be disputed only by the husband or wife, or the descendant of one or both of them. Illegitimacy, in such case, may be proved like any other fact. (Sec. 195, Civil Code; AGO NS 3778)

## d. Children after dissolution of marriage.

All children of a woman who has been married, born within ten months after the dissolution of the marriage, are presumed to be legitimate children of that marriage. (Sec. 194, Civil Code) Dissolution of a marriage is not complete until the final decree. (AGO 1-NS4527)

A judgment of nullity of marriage does not affect the legitimacy of children conceived or born before the judgment. (Section 84 of the Civil Code)

The issue of a marriage which is void or annulled or dissolved by divorce is legitimate. (Section 85 of the Civil Code)

## e. Custody of minors.

The father and mother of a legitimate unmarried minor child are equally entitled to its custody, services, and earnings. If either the father or mother is dead or is unable or refuses to take the custody, or has abandoned his or her family, the other is entitled to its custody, services, and earnings. (Sec. 197, Civil Code)

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2620 (Continued)

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## f. Custody of illegitimate child.

The mother of an illegitimate unmarried minor is entitled to its custody, services, and earnings. (Sec. 200, Civil Code)

## g. Reciprocal duties of parents and children in maintaining each other.

It is the duty of the father, the mother, and the children of any poor person who is unable to maintain himself by work, to maintain such person to the extent of their ability. The promise of an adult child to pay for necessities previously furnished to such parent is binding. (Sec. 206, Civil Code)

## h. When a parent is not liable for support furnished his child.

A parent is not bound to compensate the other parent, or a relative, for the voluntary support of his child, without an agreement for compensation, nor to compensate a stranger for the support of a child who has abandoned the parent without just cause. (Sec. 208, Civil Code)

2. Declaration of parental relation.

## a. Action to determine parental relation.

An action may be brought for the purpose of having declared the existence or non-existence between the parties of the relation of parent and child by birth or adoption. (Sec. 231, Civil Code)

- (1) When the determination of the parental relation is necessary in an adoption case, it must be by separate action from the adoption proceedings. The action can be heard, however, at the time of the adoption hearing by the court transferring its attention from the adoption case to the civil action. The matter can be presented by the attorney as he sees fit. A written petition is not necessary, if the court is satisfied with a verbal presentation.



2625 THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT

2625

1. In all court actions where defendant fails to appear the plaintiff must present satisfactory evidence that the defendant is not absent in service. Where he is in service, and cannot appear to protect his own rights, the court appoints an attorney to represent the man's interests and may require bond to indemnify him against loss, or may stay court proceedings temporarily. (Sec. 200, The Soldiers' and Sailors' Civil Relief Act of 1942.)

2630 PATERNITY - SERVICEMAN INVOLVED<sup>1</sup>

2630

1. When a woman alleges that a man in service is the father of her living or unborn child, there are several steps that may be taken:
  - a. The woman should be advised first to try to reach an understanding with the man himself. If this fails (b) should be next tried.
  - b. The local American Red Cross chapter may write to the field director if the man is stationed in this country. If he is outside the United States, consult the area Home Service correspondence (to be done by local American Red Cross chapter). This is frequently more effective than reporting him to military authorities.
  - c. As a last resort, the girl may present her case by letter to the man's commanding officer, with (a) a statement of facts, (b) a statement as to whether or not she wishes to marry the man, and (c) where pregnancy is alleged, a doctor's certificate supporting her statement. This step should never be taken until (a) and (b) have been tried and failed.
2. When a case is brought to the attention of military authorities, they will interview the man. If he admits responsibility and is willing to

(Section Continued on Next Page)

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1. The American National Red Cross, Abridged Handbook of Home Service Information, (Washington, D. C., Rev. Oct. 1943), p. 55.

2645 (Continued)

2645

ing enabling legislation. A letter explaining the California law and asking whether the Bureau of Vital Statistics in the other state could issue a corrected birth certificate without such enabling legislation has generally resulted in the issuance of a corrected certificate.

2650 DECLARATION OF UNRECORDED MARRIAGE

2650

1. If no record of the solemnization of a marriage heretofore contracted, be known to exist, the parties may join in a written declaration of such marriage substantially showing:
  - One: The names, ages, and residence of the parties.
  - Two: The fact of marriage.
  - Three: That no record of such marriage is known to exist. Such declaration must be subscribed by the parties and attested by at least three witnesses. (Sec. 76, Civil Code)

2655 MARRIAGE WITHOUT LICENSE

2655

1. When unmarried persons, not minors, have been living together as man and wife, they may, without a license, be married by any clergyman. A certificate of such marriage must, by the clergyman, be made and delivered to the parties, and recorded upon the records of the church of which the clergyman is a representative. No other record need be made. (Sec. 79, Civil Code)

2660 VALIDITY OF SUBSEQUENT MARRIAGE

2660

Subsequent marriages void: Exceptions: Interval following divorce: Marriage valid until annulled where former spouse absent. A subsequent marriage contracted by any person during the life of a former husband or wife of such person, with any person other than such former husband or wife, is illegal and void from the beginning, unless:

1. The former marriage has been annulled or dissolved. In no case can a marriage of either of the parties during the life of the other be valid in this State, if contracted within one year after the entry of an interlocutory decree in a proceeding for divorce.
2. Unless such former husband or wife is absent, and not known to such person to be living for the space of five successive years immediately preceding such subsequent marriage, or is generally reputed or believed by such person to be dead at the time such subsequent marriage was contracted. In either of which cases the subsequent marriage is valid until its nullity is adjudged by a competent tribunal. (Sec. 61, Civil Code)



2915 INFANT DISMISSAL

2915

1. Rules Pertaining to Infant Dismissal

"Maternity hospitals shall report on the usual report forms to the State Department of Social Welfare within twenty-four hours the name and address of any person, other than a parent or relative by blood or marriage, or the name and address of the organization or institution, into whose custody, a child is given on discharge from the licensed premises." (State Department of Public Health "Rules and Regulations Governing Maternity Homes and Hospitals," p. 11)

2. Procedure on Infant Dismissal Reports

Dismissal forms may be obtained from the State Department of Social Welfare. They should be completed in duplicate, one copy to be retained for the hospital files, and one to be submitted to the State Department of Social Welfare. (See Form Ad 22)

The State Department of Social Welfare will hold these reports (Form Ad 22) for forty days, and, if a petition for adoption has not been filed in that time by the foster parents, will write them asking whether they expect to adopt the child, informing them of the necessity for a boarding home license if they do not, and giving them the name of the accredited or inspection agency. If, at the end of ninety days no reply has been received from the foster parents, and no petition for adoption has been filed, the State Department of Social Welfare will refer the home to the accredited or inspection agency for boarding home licensing action.

2930 OUTLINE FOR COURT REPORT AND INSTRUCTIONS FOR PREPARING

2930

The State Department of Social Welfare, in conformity with Sec. 226 of the Civil Code of California, presents its report in the matter of the adoption of \_\_\_\_\_ by \_\_\_\_\_ and \_\_\_\_\_.

I. MINOR:

1. Verified birth information and legal status. (If there is a difference between the official record, the petition and/or the report given by the parents, that should be pointed out.)
2. Placement:  

Date and circumstances; whether child in home continuously or for broken periods; statement when petitioners paid any of expenses of prenatal or confinement care.
3. Relationship to petitioners.
4. Medical Report:
  - a. Delivery, as related to minor, if pertinent.
  - b. Pediatrician.
  - c. Developmental history, if pertinent.
5. Mental Report, if available.
6. Statement of any property or other estate owned by minor.

II. NATURAL PARENT OR PARENTS:1. MOTHER

- a. Brief sketch of mother's personal history and background, showing her maiden name, married name, if any, any aliases which are pertinent to establishing identity of child or other relationship, present age, nationality--descent, religion, education; occupation, any record of social maladjustment, i.e., Juvenile Court, police or penal record.
- b. Health - medical report, if possible; report of doctor delivering child, as related to mother; whether mother reports any family history or personal history of inherited physical or nervous disorder, or such history in alleged father's background.
- c. Vital Statistics

Marriage (s),	date,	place,	verification
Divorce (s),	"	"	"
Death (s),	"	"	"

(Section Continued on Next Page)



2930 (Continued)

2930

2. Same information for father (where applicable and possible) as for mother.

### III. CONSENT:

1. Legal status of parents.
2. Parents' attitude towards adoption.
3. Attitude of guardian or of Juvenile Court if child is a ward of the court.
4. Statement when action is necessary to eliminate consent of parent in accordance with Sec. 224.
5. If consent appears inadequate, statement pointing this out and presenting the question of validity for court's consideration.
6. If out-of-State consent has been secured by someone outside the Department, statement that it has been reviewed.

### IV. PETITIONER(S):

1. Brief sketch of family history and background of man petitioner, covering name, age, religion, nationality-descent (if foreign born, citizenship information - verified; if not citizen, statement regarding legal entry into U.S.); education, health, including date of last physical examination, any record of social maladjustment; police, penal, or institutional record, draft classification; social and religious or community activities; employment.
2. Similar sketch of woman petitioner as in paragraph 1, adding statement regarding her ability to support minor if necessary.
3. Date and place of marriage (verified).
4. Household of petitioners, giving names, relationship, age, if pertinent, how supported and health. Names of any other children of petitioners and/or adopted children; if adopted, date of adoption is known.
5. Financial situation:
  - a. Home, address, owned or rented, value of equity, payments,
  - b. Income (verified), including occupation of man petitioner and woman petitioner (if employed), where employed, and length of employment.

(Section Continued on Next Page)

2930 (Continued)

2930

- c. Insurance and savings; if none, reason why.
- d. Other property or resources.
- e. Debts, if any.
- 6. Adjustment of minor and petitioners.
- 7. References
- 8. Attitude of petitioners in questionable cases.

V. RECOMMENDATION:

- 1. Summary, evaluation advantages and disadvantages of the adoption.
- 2. Department's recommendation.

INSTRUCTIONS FOR PREPARING COURT REPORT ACCORDING TO OUTLINE

No information shall be included in the court report unless it is substantiated elsewhere in the case record through correspondence, questionnaire, narrative, or otherwise.

OPENING PARAGRAPH:

The opening paragraph shown in the outline is to be used on all cases in which the final report is the first report filed with the court. The following paragraph may be substituted when the report is on a restored case:

"Petition in the matter of the adoption of \_\_\_\_\_  
was filed in the Superior Court of \_\_\_\_\_ County,  
California, on \_\_\_\_\_ by \_\_\_\_\_  
and \_\_\_\_\_."

"On the \_\_\_\_\_ day of \_\_\_\_\_ the case was  
removed from the calendar of the State Department of Social Welfare.

(Reasons)

"The case has now been restored to calendar and the Department is submitting its final report in accordance with Sec. 226 of the Civil Code of California."

I. CHILD:

- 1. Information from the birth certificate, district number, certificate number, the name of the natural father, etc., need not appear in the report, but may be included in agent's letter to the attorney notifying him of the filing of the report.

(Section Continued on Next Page)



2930 (Continued)

2930

2. Placement - In giving circumstances of placement the name of a third person arranging placement should not be given unless this has been definitely established. If placement was actually made by an intermediary with persons not known to parents, the name should appear. If any money passed hands, details should be given.

4. Medical Reports - This paragraph should include the report of the obstetrician and two reports from the pediatrician, if possible. It is preferable that the last of these be obtained not more than a month before the filing of the report.

In reporting developmental history, if the child appears to be developing normally a simple statement may be made to that effect.

5. When minor is an infant mental reports will not be necessary unless there is something to indicate the necessity for an examination. In the case of an older child who is in school, the school report or grades can be included here.
6. Any statement regarding property or estate owned by a minor should be verified.

## II. NATURAL PARENTS OR PARENT:

1. Practically all the points listed can be covered in one or two sentences. In reporting Juvenile Court, police, or penal records, the reason for the record should be given if pertinent to the determination that the child is a proper subject for adoption. Ordinarily, in case of denial or questionable approval, all available information would be pertinent and therefore should be included.

Information on vital statistics shall be given in detail in all cases where legal status of the child is involved. In other cases only the present marriage will need to be listed and verified. A statement can be made that all other marriages and dissolutions have been verified.

2. Information in regard to the father shall be given for the minor born in wedlock. When the history regarding the alleged father clouds the determination of whether the child is a proper subject for adoption information shall be included.

(Section Continued on Next Page)

2930 (Continued)

2930

III. CONSENTS:

1. Legal status should be substantiated by facts.
2. The parents' attitude toward the adoption should include the following:
  - a. Whether the mother has met petitioners and is satisfied, or has not met them and is satisfied with what she has been told.
  - b. The mother's statement as to whether she was influenced in giving her consent by payments or gifts from petitioners.
  - c. If there is a difference in religion, a statement should be included as to her willingness to have the child in a home of a different faith or reared in a different faith.
  - d. Statement that the parent or parents willingly signed the consents attached.
3. Although consent of a guardian of minor, or of the Juvenile Court when minor is a ward of the court is not necessary, it is advisable to include a statement of their attitude toward the adoption.
4. When action is taken to eliminate consent, specify type of action to be taken, date action filed, and month of action.
5. If the consent appears inadequate or action to eliminate consent is pending, statement shall be made that recommendation is filed conditionally.

IV. PETITIONER(S):

1. If a petitioner's present occupation (such as in defense industry) is not his usual occupation, report should show where he was employed previously.
3. If either petitioner has been previously married, the number of marriages for each shall be shown, and it should be stated that previous marriages and dissolutions have been verified. If some circumstance surrounding a previous marriage clouds the suitability of a home, full information should be given in regard to it.
5. Debts should be listed only if they are of sufficient importance to cloud the suitability of the home.

(Section Continued on Next Page)



2930 (Continued)

2930

6. This paragraph shall contain a statement as to whether the relationship existing between the adopting parents and minor is comparable to that of natural parents and child.
7. Names of references need not be given in the report.
8. Where there is no verified information regarding the minor's background for either (or both) parent, or where information obtained shows undesirable background, but petitioners wish to proceed with the adoption, statement shall be made to that effect. This shall include the statement that all the known facts and/or lack of information regarding minor have been discussed with petitioners, who have expressed their desire to consummate the adoption and their willingness to assume responsibility for minor regardless of future developments. In cases of this type, reports from State Hospitals or institutions may be attached as exhibits.

V. RECOMMENDATION:

1. The summary paragraph need not be a long one, but it shall give the basis for the Department's recommendation.
2. If the consent of either parent is being eliminated; if there is a question of the validity of the consent submitted; or if any other point is being left for court determination, it shall be stated that the Department's recommendation is subject to proper clearance of the point in question.

Where minor's background is questionable or undesirable, as outlined under section IV, paragraph 6, but the petitioners are desirous of consummating the adoption, the statement shall be omitted from the recommendation that the State Department of Social Welfare believes "minor to be a proper subject for adoption."

## 2945 INDEX ATTORNEY GENERAL'S OPINIONS, ADOPTIONS

2945

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## Number or Date

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Certified as a Regulation (or as Regulations) the

Special Welfare

(Name of State Agency)

Signature) 

(Signature)

Director

(Title)

6/6/46

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## Department of Social Welfare

CHARLES M. WOLLENBERG  
DIRECTOR

Sacramento 14  
June 6, 1946

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Hon. Frank M. Jordan  
Secretary of State  
Room 109, State Capitol  
Sacramento, California

IN REPLY PLEASE REFER  
TO:

Dear Mr. Jordan:

Attached are three copies of the following regulations  
made by the State Department of Social Welfare.

S.D.S.W. REGULATION BOARDING HOMES NO. 16

These regulations are filed in accordance with Section 11381  
of the Government Code, Chapter 1334, Statutes of 1945.

Very sincerely yours,

*Charles M. Wollenberg*  
CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

63:b5  
Attachment

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STATE OF CALIFORNIA

# Department of Social Welfare

CHARLES M. WOLLENBERG

DIRECTOR

May 31, 1946

W81C - 1620-1621

*Dept. Public Health  
Standards for Mat. Hosp  
& Mat. Homes in Cal  
8-22-44 Ch. I - sec 5*

FILED

in the office of the Secretary of State  
of the State of California

JUN 7 - 1946

FRANK M. JORDAN, Secretary of State

By *Frank M. Jordan*  
Assistant Secretary of State

IN REPLY PLEASE REFER  
TO:

S.D.S.W. REGULATION BOARDING HOMES NO. 16

TO: ACCREDITED AND INSPECTION AGENCIES  
CHILD PLACING AGENCIES  
COUNTY WELFARE DEPARTMENTS (Los Angeles, San Francisco, Butte, Placer,  
Sacramento, San Joaquin, Alameda, Monterey)  
COUNTY BOARDS OF SUPERVISORS (Excluding Butte, Placer, Sacramento, San Joaquin,  
COUNTY AUDITORS Alameda, Monterey)

Subject: Referrals from State  
Department of Social Welfare  
in Connection with Adoption  
Cases

Two types of situations coming to the attention of the State Department of Social Welfare in connection with its investigation of adoption petitions shall be referred to accredited and inspection agencies by the Department for boarding home licensing action:

- I. Foster parents not related to the natural parents, to whom a child has been released from a maternity home or hospital.

The State Department of Public Health requires that any maternity home or hospital which releases an infant to a person other than a parent or relative shall file a report of the dismissal with the State Department of Social Welfare, giving the name and address of the person to whom the child was released.

## Procedure

The State Department of Social Welfare will hold these reports (Infant Dismissal Form Ad 22) for forty days, and, if a petition for adoption has not been filed in that time by the foster parents, will write them asking whether they expect to adopt the child, informing them of the necessity for a boarding home license if they do not file a petition within thirty days, and giving them the name of the accredited or inspection agency. If, at the end of ninety days, no reply has been received from the foster parents, and no petition for adoption has been filed, the State Department of Social Welfare will refer the home to the accredited or inspection agency for boarding home licensing action.

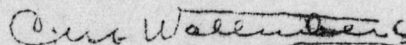


II. Foster homes investigated by this Department on which it has filed a report recommending denial of adoption, but the child remains in the home.

Procedure

At the time of filing its report to the court, with recommendation of denial, the State Department of Social Welfare will notify the petitioners of the need for boarding home license if the child remains in the home, and will furnish them with the name of the accredited or inspection agency. It will also send notification to the accredited agency that the child is in the home and that a recommendation of denial has been made, specifying the reason for the denial.

Very sincerely yours,



CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

Certified as a Regulation (or as  
Regulations) of the

Dept of Social Welfare  
(Name of State Agency)

C. M. Buckley  
(Signature)

Director  
(Title)

6/26/46  
(Date)



MAIN OFFICE  
SACRAMENTO  
616 K STREET  
(14)

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311 SOUTH SPRING STREET  
(13)

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(3)

Earl Warren  
Governor

STATE OF CALIFORNIA

## Department of Social Welfare

CHARLES M. WOLLENBERG

DIRECTOR

Sacramento 14  
June 26, 1946

### SOCIAL WELFARE BOARD

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REV. THOMAS H. MARKHAM  
409 NATIVE SONS' BUILDING  
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JOHN T. MARTIN  
1170 SEVENTH AVENUE  
SAN DIEGO

MRS. JESSIE S. WILLIAMSON  
2816 OAK KNOLL TERRACE  
BERKELEY

Hon. Frank M. Jordan  
Secretary of State  
Room 109, State Capitol  
Sacramento, California

IN REPLY PLEASE REFER  
TO:

Dear Mr. Jordan:

Attached are three copies of the following regulations  
made by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 277 (WS) (Emergency regulation)  
DEPARTMENT BULLETIN NO. 278 (Selective Service)

These regulations are filed in accordance with Section 11381  
of the Government Code, Chapter 1334, Statutes of 1945.

Very sincerely yours,

*Charles M. Wollenberg*  
CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

63:b5  
Attachments

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EARL WARREN  
GOVERNOR

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

CHARLES M. WOLLENBERG  
DIRECTOR

Sacramento  
May 28, 1946

WSIC 103, 113, 114, 115, 116,  
120, 120.5

DEPARTMENT BULLETIN NO. 277 (WS)

TO: COUNTY BOARDS OF SUPERVISORS  
COUNTY WELFARE DEPARTMENTS  
COUNTY AUDITORS

FILED

In the office of the Secretary of State  
of the State of California

JUN 28 1946

FRANK M. JORDAN, Secretary of State

By *Robert V. Jordan*  
Assistant Secretary of State

Subject: Civilian War Assistance

Since its inception the Civilian War Assistance Program has been financed by allocation from the President's Emergency Fund, both for aid and administrative costs. This source of funds expires June 30, 1946, and enabling legislation and an appropriation have been prepared and introduced in Congress to provide funds for the support of this activity on and after July 1, 1946.

Until action has been taken by Congress the present funds may not be encumbered for any period beyond June 30. Present funds may be used, however, in payment of obligations incurred for the period ending June 30.

Those counties which received special advances for the purpose of establishing revolving funds will expend such monies only for obligations incurred for the period ending June 30 and will be informed as to the disposition of any remaining balances immediately upon our receipt of additional information.

All War Services assistance and administrative expense claims must be submitted to this office as soon as administratively possible after the close of each month.

Very sincerely yours,

*Chas. Wollenberg*

CHARLES M. WOLLENBERG, Director  
Department of Social Welfare



RECEIVED  
JAN 10 1968  
U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C.

TO : DIRECTOR, FBI  
FROM : SAC, NEW YORK (100-177441)  
SUBJECT: [Illegible]

[Illegible body text follows]

1961

Very sincerely yours,  
*Charles W. Hollister*  
CHARLES W. HOLLISTER, Director  
Department of Social Welfare

Certified as a Regulation (or as  
Regulations) of the

Dept of Social Welfare  
(Name of State Agency)

Wm. H. H. H. H.  
(Signature)

Director  
(Title)

6/26/46  
(Date)



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EARL WARREN  
GOVERNOR

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

CHARLES M. WOLLENBERG  
DIRECTOR

Sacramento  
June 13, 1946

81C 114b, 116, 120,  
120.5

DEPARTMENT BULLETIN NO. 278 (Selective Service)

TO: COUNTY BOARDS OF SUPERVISORS  
COUNTY WELFARE DEPARTMENTS  
COUNTY AUDITORS

Subject: Extension of Selective Service  
System Medical Survey Program

The Federal Social Security Board has informed us that no further obligations should be incurred under the Selective Service System Medical Survey Program after June 30, 1946. The Department has no information as to whether there will be funds to continue the program after that date.

All claims must be submitted to this office as soon as is administratively possible.

Very sincerely yours,

*Chas. Wollenberg*

CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

FILED

In the office of the Secretary of State  
of the State of California

JUN 28 1946

FRANK M. JORDAN, Secretary of State

By

*Robert E. Jordan*  
Assistant Secretary of State

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*Earl Warren*  
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG

DIRECTOR

Sacramento 14  
July 1, 1946

SOCIAL WELFARE BOARD

BEN KOENIG, CHAIRMAN  
1680 NORTH VINE STREET  
LOS ANGELES

MRS. BERNICE H. CHIPMAN  
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MRS. JESSIE S. WILLIAMSON  
2816 OAK KNOLL TERRACE  
BERKELEY

Hon. Frank M. Jordan  
Secretary of State  
Room 109, State Capitol  
Sacramento, California

IN REPLY PLEASE REFER  
TO:

Dear Mr. Jordan:

Attached are three copies of the following regulations  
made by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 279 (3 Aids)

These regulations are filed in accordance with Section 11381  
of the Government Code, Chapter 1334, Statutes of 1945.

Very sincerely yours,



CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

63:b5  
Enclosure



Certified as a Regulation (or as  
Regulations) of the

Dept of Social Welfare  
(Name of State Agency)

Oneil  
(Signature)

Director  
(Title)

7/1/46  
(Date)

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E. L. WARREN  
GOVERNOR

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

CHARLES M. WOLLENBERG  
DIRECTOR

Sacramento  
June 28, 1946

W410 119.5  
119.6

DEPARTMENT BULLETIN NO. 279 (WS) *Backs*

TO: COUNTY WELFARE DEPARTMENTS  
(Excluding Alameda, Los Angeles, Sacramento, San Diego,  
San Francisco, and Santa Clara Counties)

Subject: Discontinuation of War  
Duration Appointments

The provisions of Department Bulletin No. 69-I, issued  
January 4, 1944, are hereby rescinded effective July 1, 1946.

On February 19, 1946, the question of war duration appoint-  
ments was discussed with the Merit System Advisory Committee and the  
Committee agreed with the recommendation of this Department that war  
duration appointments be discontinued on some future date but that  
all persons now employed on a war-duration basis should be permitted  
to continue in their positions under the provisions of Department  
Bulletin No. 69-I for a period not to exceed 180 days after the  
Governor finds and proclaims that the war emergency no longer exists.

Very sincerely yours,

*Charles M. Wollenberg*

CHARLES M. WOLLENBERG, Director  
Department of Social Welfare

FILED

In the office of the Secretary of State  
of the State of California

JUL 2 - 1946

FRANK M. JORDAN, Secretary of State

By *Frank M. Jordan*  
Assistant Secretary of State



FRANK M. JORDAN  
SECRETARY OF STATE  
STATE OF CALIFORNIA

Certified as a Regulation (or as  
Regulations) of the

Dept of Social Welfare  
(Name of State Agency)

M. J. Kelly  
(Signature)

Director  
(Title)

7/1/46  
(Date)



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EARL WARREN  
GOVERNOR

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

CHARLES M. WOLLENBERG  
DIRECTOR  
Sacramento  
June 28, 1946

1299

**FILED**  
In the office of the Secretary of State  
of the State of California  
JUL 2 - 1946  
FRANK M. JORDAN, Secretary of State  
By *Frank M. Jordan*  
Assistant Secretary of State

MANUAL LETTER NO. 94

The attached Manual revisions are to be entered in your copy of the Manual of Policies and Procedures and the revision numbers cancelled on the separators for the revised Chapters. Revision numbers are listed for the Chapters as follows:

Blindness	Revision 8
Continuing Services	Revision 132
Statistical Procedure	Revision 40 through 53

These revisions were approved by the Social Welfare Board on June 21, 1946.

Sec. 180-50, Reexamination of Eyes to Determine Continued Eligibility, provides for dispensing with a reexamination of the eyes at the discretion of the State Ophthalmologist when there is a reap- plication after a discontinuance for one year.

Sec. 361-75, Action by Board of Supervisors on Notices of Change, includes changing the payee in ANC by a Notice of Change without action of the board of supervisors.

Sec. 569-99 presents the revised Form GR 237. Changes re- garding reporting on this form have been made at the request of the Social Security Board. Secs. 564-25 through 564-50 have been revised and reworded and new material added to include instructions for the new form. The new Form GR 237 and revised reporting procedure are to be effective August 1, 1946, so that the September report cover- ing August activity will be on the new form.

180-50 REEXAMINATION OF EYES TO DETERMINE CONTINUED ELIGIBILITY  
ANB, APSB

180-50

The required annual investigation of the qualifications of recipients of Aid to the Blind includes a reexamination of the eyes (SEE SEC. 351-50, REINVESTIGATION OF BLINDNESS) unless the State Ophthalmologist has advised that such reexamination is not necessary. All physicians' reports of eye examinations, made to determine continued eligibility, shall be submitted to the SDSW immediately after the examination has been made, for review by the State Ophthalmologist. (SEE SEC. 180-20, REVIEW OF EYE EXAMINATION REPORTS.) At the time reports of eye examinations are reviewed by the State Ophthalmologist, the county is advised if a reexamination is necessary at a later date. (SEE SEC. 235-00, PHYSICIANS' REPORTS OF EYE EXAMINATION.)

When one or more of the following conditions obtain, a reexamination of the eyes is required, even though the State Ophthalmologist has previously advised on a basis of facts known at that time, that a reexamination was not necessary:

1. The recipient has had an eye operation.
2. There are facts to indicate that a recipient's vision has improved.
3. There are facts to indicate that recipient's vision is better than the eye examination report indicates.
4. There are facts to indicate that recipient is a malingerer.
5. Aid has been discontinued for one year or more.

However, when an individual for whom aid has been discontinued for a period of one year or more reapplies, the county may write to the SDSW requesting the State Ophthalmologist's decision regarding the necessity for a current physician's report of eye examination. The request to the SDSW must contain any pertinent information about Items 1 through 4 above.

No cloud on eligibility from the standpoint of degree of blindness shall be considered to exist except on the recommendation of the State Ophthalmologist after review of the physician's report of eye examination. (SEE SECS. 361-40, CONTINUED ELIGIBILITY QUESTIONED ON BASIS OF PHYSICIAN'S REPORT OF EYE EXAMINATION, 180-20, REVIEW OF EYE EXAMINATION REPORTS, AND 180-25, SUCCESSIVE EYE EXAMINATION REPORTS.)

When other qualified examiners are available, it is desirable that reexamination of an applicant or recipient not be made by the same examiner who has previously filed a report of eye examination for the individual.

Reexamination in post-operative cases shall be made within not less than 90 days nor more than 120 days after the operation unless permission for delay is obtained from the SDSW. Questions which arise regarding the need for such post-operative examination should be referred to the SDSW for decision by the State Ophthalmologist.

When a reexamination is indicated for a bedfast applicant or recipient, such reexamination shall be required even though it may be necessary because of illness or other conditions to extend the time within which it may be secured. Questions on such cases should be referred to the SDSW for the advice of the State Ophthalmologist. (SEE SECS. 645-80, EXPENDITURES FOR EYE EXAMINATIONS, 180-15, DETERMINATION OF DEGREE OF BLINDNESS, AND 351-50, REINVESTIGATION OF BLINDNESS.) (W&IC 3075, 3460)



## 180-25 (Continued)

180-25

When the person appeals on the basis of two adverse reports, he may at his own expense present reports of other eye examinations. Such reports shall be made by physicians selected from the approved list and shall be submitted on the regular eye examination report form.

The SDSW shall retain the right to designate the physician who is to make the examination to resolve the conflict.

In appeals based on the degree of visual impairment, the SDSW shall authorize such eye examinations as it deems necessary.

The State Ophthalmologist shall have the privilege of examining the appellant prior to the hearing of an appeal by the SSWB. If the appellant refuses to submit to the examination or is not accessible for it, the hearing will be held on the basis of the reports already submitted.

The State Ophthalmologist shall have the privilege of examining any applicant for or recipient of ANB or APSB and may recommend final action on the basis of all available information.

When a physician's report on a reinvestigation indicates that the degree of visual impairment does not come within the definition of blindness, the SDSW may request a second examination and, if necessary, a third examination. (See Secs. 361-40, CONTINUED ELIGIBILITY QUESTIONED ON BASIS OF PHYSICIANS' REPORT OF EYE EXAMINATION, AND 351-50, REINVESTIGATION OF BLINDNESS.) (W&IC 3075, 3460)

180-30 PROOF THAT BLINDNESS OCCURRED WHILE APPLICANT WAS CALIFORNIA  
RESIDENT  
ANB, APSB

180-30

When an applicant does not meet residence requirements set forth in Sec. 121-10, Blind While Not a Resident of California, but claims eligibility in accordance with Sec. 121-15, Blind While a California Resident, he must establish that he became blind while a resident of the State. Acceptable evidence of this fact may be affidavits of, or reports of, interviews with employers, storekeepers, doctors, references, etc., as to the loss of vision. Such affidavits or reports must contain the facts upon which the affiant's knowledge is based.

There is no provision in the law by which expert testimony is distinguished from, or to be given more weight than, evidence of other character in establishing eligibility on this point. Expert testimony is to be given the weight to which it appears to be justly entitled in each case.

If blindness is claimed to be the result of an accident, date and location of the event shall be verified and physician's report as to cause of blindness (See Sec. 180-15, DETERMINATION OF DEGREE OF BLINDNESS) shall substantiate applicant's contention. (W&IC 3040, 3041, 3042, 3075, 3430, 3431, 3432, 3460)

361-80 NOTIFICATION TO RECIPIENT OF CHANGE IN GRANT  
OAS, ANB, APSB, ANC

361-80

When aid is increased, decreased, or discontinued, the recipient shall receive written notification of the board of supervisors' action immediately. The notification shall show the amount of the grant and the reason for change in the grant, or the reason for discontinuance. The recipient shall also be notified of his right of appeal to the SDSW for a fair hearing and the case record shall show that such notification was sent. (SEE SECS. 325-20, RIGHT, PURPOSE, AND SCOPE OF APPEAL AND 236-30, CONTENT OF CASE RECORD.) (W&IC 1511, 1560, 2016, 2140, 2182, 2220.5, 3075, 3086, 3460, 3473, FSSB)

In addition to the above requirements, the recipient of OAS, ANB or APSB shall be notified of his right to a hearing before the board of supervisors. He shall also be notified of the source and amount of income which was taken into consideration in determining the amount of the grant. Where total need has been verified to be in excess of \$50 in OAS, or \$60 in ANB, the total need shall be shown on the notification. (W&IC 2016, 2140, 2181.1, 3075, 3087.5, 3460, 3473.2)

Notification of Action by the Board of Supervisors (Form Ag, Bl, CA 239), includes the minimum requirements for notification to the recipient that his aid has been increased, decreased, or discontinued, and shall be used by the county unless a substitute form, which incorporates the information appearing on Form Ag, Bl, CA 239, is used. (SEE SEC. 250-10, REPORTING ACTION OF BOARD OF SUPERVISORS TO APPLICANT.) (W&IC 1560, 2140, 3075, 3460)

When delivery of a recipient's warrant for any month is withheld for reason other than death, beyond the usual delivery date for aid payments, the recipient shall receive immediate notification of the reason for which the warrant was withheld. The notification shall be mailed to the last known address of a recipient and the case record shall show that such notification was sent. Notification of Suspended (Withheld) Aid Payments, Form Ag, Bl, CA 239A, includes the minimum requirements for notification to the recipient that his warrant has been suspended or withheld. It shall be used by the county unless a substitute form which incorporates the information appearing on Form Ag, Bl, CA 239 is used. (W&IC 1560, 2140, 2220.5, 3075, 3460)

361-85 NOTIFICATION TO COUNTY AUDITOR OF CHANGE IN GRANT  
OAS, ANB, APSB, ANC

361-85

A copy of Notice of Change (Form Ag, Bl, CA 232) should be sent to the county auditor. There should be complete coordination between the county welfare department and the county auditor so that payrolls each month correctly reflect the current status of all cases for which claim is made. (W&IC 1560, 2140, 3075, 3460)



361-60 CHANGE IN SCHOOL STATUS REPORTED ON NOTICE OF CHANGE  
ANC

361-60

A change in school status as set forth in Sec. 235-20, School Attendance as Requirement for Federal Participation, shall be reported to the SDSW on the Notice of Change (Form CA 232) (SEE SEC. 363-15, RECORDING CHANGE OF SCHOOL STATUS ON SECTION III OF NOTICE OF CHANGE.) (W&IC 1560; FSSA TITLE IV, SEC. 406(A))

361-75 ACTION BY BOARD OF SUPERVISORS ON NOTICES OF CHANGE  
OAS, ANB, APSB, ANC

361-75

Action of the board of supervisors is required upon all Notices of Change (Form Ag, Bl, CA 232) except those which report school status and change of payee in ANC, change of name of recipient, and changes in guardianship status. (SEE SEC. 361-90, NOTIFICATION TO SDSW OF CHANGE IN GRANT.) (W&IC 1560, 2140, 2184, 3075, 3089, 3460)

563-30 (Continued)

563-30

Item 11. Total Obligations Incurred--Enter the sum of Items 11a and 11b.

Item 11a. Total Basis for State Participation--Enter the total amount of obligations incurred for cash payments under each program, excluding county supplemental aid. This amount shall include payments not exceeding \$22.50 a month for each child ineligible for Federal participation but eligible for State participation, not exceeding \$31.50 a month for one child eligible for Federal participation, and not exceeding \$28.50 a month for each additional child in the same family budget unit eligible for Federal participation.

Figures reported in Columns I and II of Item 11a may be compared with those reported on the claim, Item I of Column A, Aid Affidavit (Forms CA 800-BHI and CA 800, revised January, 1944), and should agree unless the claim has been revised for cancellations or other revisions made after submission of the Statistical report.

The breakdown by source of funds of the payments in which the State participates is given in Items 11a (1), (2), and (3).

Items 11a (1), 11a (2), and 11a (3) Federal, State, and County Shares--Enter the Federal, State, and county shares of the total amount on which State participation is based. For the computation of these shares for each type of case see Sec. 627-10, Chart of Financial Participation in Grants of Aid. The types of cases are defined in Sec. 627-00, Definition of Types of Cases with Respect to Financial Participation by Federal, State, or County Government.

Figures reported in Item 11a (2), State Share, of Column I may be compared with those reported on the claim, Item 2 of Column A (Form CA 800-BHI, revised January, 1944).

Figures reported in Items 11a (1), Federal Share, and 11a (2), State Share, of Column II may be compared with those reported on the claim, Items 6 and 14, respectively, of Column A (Form CA 800, revised January, 1944).

Item 11a (3) shall equal Item 11a less Items 11a (1) and 11a (2).

(Section Continued on Next Page)



563-20 (Continued)

563-20

OAS

Figures computed for Items 11a and 11b of Form Ag 237 may be compared with those reported on the claim, Items 6 and 14, respectively, of Column A (Form Ag 800, revised January, 1944).

ANB, APSB

The total report for the ANB program in Item 11a of Form B1 237 may be compared with Item 6 of Column A (Form B1 800, revised January, 1944). The sum of the figures reported for the ANB and APSB programs in Item 11b of Form B1 237 may be compared with Item 13 of Column A (Form B1 800, revised January, 1944).

OAS, ANB, APSB

Item 11c shall equal Item 11 less Items 11a and 11b. (W&IC 115, 116)

563-30 ITEM 11. TOTAL OBLIGATIONS INCURRED  
ANC

563-30

Section C of Form CA 237 provides for reporting obligations not only for the amount of ANC payments in which the State participates but also for any additional county aid given to ANC cases other than medical or dental care, hospitalization, or burials.

Do not include obligations for medical or dental care, hospitalization, or burials, except payments for such services included in direct money payments which are not separable from payments for other needs. Obligations for medical or dental care, hospitalization, and burials are reported in Section D of Form GR 237. (SEE SEC. 564-50, REPORTING OF OTHER GENERAL RELIEF FROM COUNTY INDIGENT FUND.)

Enter in Column I all obligations incurred for the benefit of children for whom aid is granted under the Boarding Homes and Institutions program.

Enter in Column II all obligations incurred for the benefit of Family Groups. Include payments for the specific benefit of the child/children for whom aid is granted and also payments for the benefit of any other member of the family budget unit. Do not include aid paid for the benefit of any person who is not a member of the family budget unit; such aid is reported on Form GR 237.

Enter in Column III the sum of Columns I and II.

(Section Continued on Next Page)

563-30 (Continued)

563-30

Do not include the total amount of obligations incurred for the purchase of plant and equipment for the commissary; the value of these items may be distributed over the life of such items and the appropriate pro rata share charged to each month.

These obligations shall not include payments for the following items:

(1) Obligations incurred for medical care, hospitalization, and burial.  
(SEE SEC. 564-50, REPORTING OF OTHER GENERAL RELIEF FROM COUNTY INDIGENT FUND.)

(2) Value of commodities produced on work projects and issued to cases.

(3) Obligations incurred for non-relief labor, materials, equipment, and/or supplies for work relief programs.

(4) Obligations incurred for items commonly referred to as administrative expense of the public assistance program. (W&IC 115, 116, 2506)



563-30 (Continued)

563-30

Item 11b. Total Supplemental County Aid--Enter the total amount of obligations incurred for ANC which exceed the maximum payments in which the State participates.

Include in Column II obligations incurred for supplemental aid for the benefit not only of the child/children for whom ANC is granted but also for any other member of the family budget unit. Do not include aid paid for the benefit of any person who is not a member of the family budget unit; such aid is reported on Form GR 237.

Item 11b (1) Cash--Enter the amount of obligations incurred for supplemental aid paid by check or in cash directly to the person receiving the ANC payment for the eligible child/children, or for any other member of the ANC family budget unit.

Item 11b (2) Kind--Enter the amount of obligations incurred for supplemental aid given in the form of groceries, clothing, fuel, rent, services, etc., to the person receiving the ANC payment for the eligible child or children, or for any other member of the ANC family budget unit. These obligations shall include payments for the following items:

(1) The value of orders on vendors for food, clothing, fuel, and other commodities.

(2) The value of orders on landlords for shelter or on utility companies for gas, electricity and other utilities.

(3) The purchase cost of commodities issued directly to cases.

When commodities are distributed through a commissary of the county welfare department, include the pro rata share of the cost of operating the commissary. This pro rata share shall be computed at the ratio that the purchase cost of commodities issued to ANC cases is to the purchase cost of all commodities issued from the commissary.

EXAMPLE: IN A COUNTY THE TOTAL AMOUNT OF COMMODITIES ISSUED BY THE COMMISSARY FOR ALL TYPES OF AID WAS \$5,000, AND THE AMOUNT OF COMMODITIES ISSUED TO ANC CASES WAS \$1,000, THE ANC SHARE OF THESE OBLIGATIONS IS ONE-FIFTH OF THE TOTAL. THE TOTAL ADMINISTRATIVE EXPENSES OF THE COMMISSARY WERE \$500, THEREFORE THE AMOUNT OF ADMINISTRATIVE EXPENSE TO BE ENTERED ON FORM CA 237 IS ONE-FIFTH OF \$500, OR \$100.

(Section Continued on Next Page)

564-30 (Continued)

564-30

Item 1. Continued from preceding month - Enter the number of cases which were reported in Item 5 of the preceding month's report unless a correction is being made for an error in the case count of the preceding month. If there is a correction, the specific reason should be entered on the reverse side of the GR 237 report.

Item 2. Total added during month - Enter the number of cases which were made active for General Home Relief during the month. (This item must equal the sum of Items 2-A and 2-B.) Include the following cases:

1. Regularly approved general relief cases.
2. Cases given relief pending approval for general relief (not to be confused with short-term care) or categorical aid.

Do not include in Item 2 cases for whom general relief payments are being resumed during the month after a period of temporary suspension of relief. During the time of suspension report such cases in Item 3-B.

Item 2-A. New: Never previously received General Home Relief - Enter the number of cases added during the month that had never previously been extended General Home Relief in the county.

Item 2-B. Restored: Previously received General Home Relief - Enter the number of cases added during the month which had previously been discontinued from General Home Relief in the county.

Item 3. Total active during month - Enter the sum of Items 1 and 2. Cases active during the month are classified under Items 3-A and 3-B according to whether or not General Home Relief was extended during the month. Item 3 must equal the sum of Items 3-A and 3-B as well as the sum of Items 1 and 2.

Item 3-A. Received General Home Relief - Enter the number of cases to which General Home Relief was extended during the month. This item must be the same as Item 6, Column 1.

Item 3-B. Received no General Home Relief - Enter the number of cases active during the month to which no General Home Relief was extended during the month.

Item 4. Total discontinued during month - Enter the number of cases which were discontinued during the month but which were active at some time during the month. If payments are withheld or suspended, but the case is not formally discontinued, the case should be reported in Item 3-B. Suspended cases should not be reported as discontinued until the month in which formal discontinuance is effected according to the procedure adopted in the county.

Cases discontinued during the month are classified under Items 4-A through 4-P according to the reason for discontinuing General Home Relief. Do not count a case as discontinued when one member of a family case is being discontinued from General Home Relief during the month, but one or more members will continue to benefit from General Home Relief. In such instances the person being discontinued should be omitted from the count in Items 6 and 6-A, Column 2, in the month following that in which he last receives General Home Relief.

(Section Continued on Next Page)



## 564-25 GENERAL INSTRUCTIONS FOR TYPE OF RELIEF REPORTED IN PARTS A, B, C, AND D ON FORM GR 237 564-25

The GR 237 report is divided into four sections, A, B, C, and D. In part A and part B are reported what will hereafter be called "General Home Relief", i.e., non-medical general relief paid to recipients in their homes (except county supplemental aid paid to ANC families and children).

Part C is used to report the amount of money and the number of OAS, ANB, or APSB persons who are receiving supplementation from county funds in addition to their regular grant of aid under the particular aid category. It is to be noted that supplementation of ANC payments is not to be included on this report.

In part D is reported non-medical general relief paid to or for individuals living in institutions, care in boarding homes for children (other than ANC) and adult persons (other than OAS, ANB or APSB), short-term care such as occasional meals and overnight lodging, medical relief, burials and other miscellaneous expenses which are paid from county indigent funds but are not defined by instructions for parts A and B.

Cases, persons and expenditures reported in parts A and B are never reported simultaneously in part D unless the case, or person, in question was receiving both types of general relief during the month. For example, a child, ineligible for ANC, who is a member of a family receiving general relief, is transferred to a boarding home (paid from county general relief funds) on January 15. The child will be reported in part A and part B of the January Form GR 237 because he was a recipient of General Home Relief from January 1 to January 15. He will also be reported in part D of the January Form GR 237 because he was in a boarding home paid from county funds during the latter half of the month. However, on the February Form GR 237 he will be omitted from parts A and B, and will be counted only in part D, regardless of the fact that the remainder of his family is still reported in parts A and B. (W&IC 115, 116, 2506)

## 564-30 CASES APPROVED FOR GENERAL HOME RELIEF (PART A OF FORM GR 237) 564-30

Part A is to be used to report action taken on all General Home Relief cases during a given month. It includes cases given relief before investigation is completed as well as cases already approved for General Home Relief. Part A does not include short-term care involving only occasional meals, overnight lodging, etc.; report such aid in part D, Item 14.

Count a case only once during the month even though more than one payment or order may have been issued either to the case or for the benefit of the case.

(Section Continued on Next Page)

564-30 (Continued)

564-30

Item 4-C. Allowance, pension, or payment connected with military service, received by person in home - This includes all cases in which the family's need for assistance has ceased because of the receipt by any person in the home of an allowance, pension, or other payment connected with military service which is given on the basis of service or disability. Include allowances, death gratuities, military insurance, and disability benefits, not only to persons in the Armed Forces and their dependents, but also to civilian employees and their dependents, as provided for in veterans' legislation; pensions to dependents and orphans of veterans of World War I; and payments under Servicemen's Readjustment Act of 1944 (commonly known as the G.I. Bill). Government insurance continued after a person leaves the service is defined as regular insurance. Beneficiaries who are discontinued because of the receipt of benefits of such a policy should be classified under either Item 4-D or 4-E.

Item 4-D. Increased support from relatives or friends outside home - Enter here cases in which the family's need for assistance has decreased by reason of increased support from a person not living in the home. This item includes support from relatives who have not previously contributed.

Do not include here cases discontinued because relatives are considered able to support, but the agency has no assurance that they will do so. Such cases should be reported under "No known material change in economic circumstances" as follows: If the case would have been ineligible at the time of approval had the extent of the relatives' resources been known, in Item 4-G, "Originally ineligible"; if the case is discontinued because the law or agency policy regarding relatives' responsibility has been changed, in Item 4-H, "Change in law or agency policy"; or if the case is discontinued because relatives' resources have increased, in Item 4-C, "Other known reason."

Item 4-E. Increase in other resources of person in home - Enter here cases in which the family's need for assistance has decreased by reason of resources of any person in the home other than those specified above. Life insurance benefits (other than military insurance), the inheritance of property or money, the receipt of old-age and survivors insurance, the sale of property, and increased income from investments or real or personal property, are examples of resources to be included here. Do not include the following:

- (a) Cases closed because of resources if the resources were available when the payment was approved, and the payment would not have been made had the resources been known to exist; such cases should be reported in Item 4-G, "Originally ineligible," under Item 4-J, "No known material change in economic circumstances."
- (b) Cases discontinued because the value of real or personal property has increased beyond the legal maximum, but need is not materially reduced by the income; such cases should be reported in Item 4-J under "No known material change in economic circumstances."
- (c) Cases discontinued because of a revision in budgetary standards of the agency if no real decrease in need has occurred; such cases should be reported in Item 4-H, "Change in law or agency policy."

(Section Continued on Next Page)



564-30 (Continued)

564-30

The reasons for discontinuance are segregated into two main groups: (1) Cases in which there was a material change in economic circumstances (Items 4-A through 4-F) and (2) cases in which there was no known change in economic circumstances (Items 4-G through 4-P). The latter group will include individuals and families whose circumstances insofar as the agency knows have not improved through receipt of income from new or increased earnings or from other sources. These cases are discontinued only because of loss of eligibility for technical reasons, receipt of another type of aid, or for other reasons not related to increase in income. It should be noted that the classification will not furnish complete information on the number of cases which lose eligibility for a technical reason, because, when there have been changes in both economic circumstances and technical eligibility, the discontinuance is recorded under change in economic circumstances.

Because public assistance is primarily concerned with meeting economic need, this report form is so planned to record improved economic circumstances whenever it occurs. Hence, economic factors are placed first on the list of reasons for closing.

Where cases are discontinued for more than one reason they should be classified according to the reason first appearing on the list. Other reasons should not be recorded on this report.

Item 4-A. Death - Enter the number of cases in which the recipient died or the death of a person included in the general relief case decreases the need sufficiently to discontinue the case. Do not include here cases discontinued because the death of a person brings in resources for the remaining persons in the case. Such a case should be recorded under Item 4-E, Increase in other resources of person in home.

#### ITEMS 4-B - 4-F (INCLUSIVE) MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES

Enter in the appropriate item under this heading cases in which the family's need for assistance has materially decreased. Economic circumstances may be changed by the conversion of non-liquid resources into cash as well as by obtaining additional resources. The receipt of another type of assistance (public or private) is not to be regarded as a change in economic circumstances. Cases reported here may also be ineligible for general assistance for reasons other than decreased need.

Old-age and survivors insurance, workmen's compensation, and unemployment compensation are not to be considered as assistance. Therefore, cases in which need has decreased by the receipt of income from any of these sources should be reported in the appropriate item (4-D or 4-E) under this heading.

Item 4-B. Employment or increased earnings of person in home - Enter the number of cases in which the family's need for assistance has decreased because of employment or increased earnings of someone in the home. Employment includes self-employment. The increase in earnings may result from higher wages or fuller employment.

(Section Continued on Next Page)

564-30 (Continued)

564-30

This item applies only to cases automatically disqualified by the new law or policy. Do not include cases which could remain eligible but refuse to comply with the new regulations; such cases should be reported in Item 4-I, "Refusal to comply with agency policy."

Item 4-I. Refusal to comply with agency policy - Enter here cases discontinued for such reasons as refusal to assign insurance or give a lien on property in conformity with the agency's rules, or otherwise comply with established regulations. Include here cases closed because of refusal to comply with a regulation even if the regulation was adopted or modified after acceptance of the case. Specify the policies and the number of cases discontinued because of refusal to comply with each.

Item 4-J. Excess property - Enter here cases discontinued because the value of real or personal property has increased beyond the maximum allowed by the agency, but the need for assistance is not materially reduced by the income. If the income is substantially increased, the case should not be reported here but should be reported in Item 4-E, "Increase in other resources of person in home," under "Material change in economic circumstances."

Item 4-K. Admitted to institution - Enter here cases discontinued because need for assistance has decreased by the admission to an institution of a person included in the case. This item is not intended to include all cases closed for general assistance in which a person in the case enters an institution, but only those in which no other reason is applicable and the case would have continued eligible for general assistance if the person had not entered an institution. For example, if a case is discontinued because of ineligibility due to a change in law or agency policy and a person in the case is admitted to an institution, it should be reported in Item 4-H, "Change in law or agency policy," rather than here. Or, if a person receiving general assistance has an increase in resources (other than by the receipt of assistance) which enables him to contract for care in an institution, the case should be reported in the appropriate item under "Material change in economic circumstances."

Do not include here cases discontinued because of temporary hospitalization; such cases should be reported in Item 4-O, "Other known reason." Temporary hospitalization is defined as any period less than two months.

(Section Continued on Next Page)



564-30 (Continued)

564-30

Item 4-F. Other material change in economic circumstances - Enter here cases in which the family's need for assistance has discontinued for reasons other than those specified in items above. Examples of cases to be included here are:

- (a) Cases in which need has decreased with no increase in resources.
- (b) Cases in which need has decreased because of the marriage of a person receiving general assistance.

Do not include here cases discontinued because a person receiving general assistance marries another recipient of general assistance and both are to be included in one payment.

ITEMS 4-G - 4-P (INCLUSIVE) NO KNOWN MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES

Enter in the appropriate item under this heading cases discontinued for reasons other than decreased need, if it is not known that the family's need for assistance has materially decreased. Even if a case is technically discontinued for reasons other than decreased need, it should not be included here if it is known that the need for assistance has so materially decreased that it would also be ineligible on the basis of need. Such cases should be reported in the appropriate item (4-B - 4-F) under "Material change in economic circumstances."

Item 4-G. Originally ineligible - Enter here cases discontinued because they are found to have been ineligible when the case was last accepted. These include cases in which information, either unintentional or fraudulently concealed, was not known to the agency when the case was last accepted and the investigation is assumed to have been adequate; and cases which are now considered to have been accepted without adequate evidence of eligibility.

Item 4-H. Change in law or agency policy - Enter here cases discontinued because a change in law or State or local administrative policy governing general assistance automatically makes the case ineligible at the time of the change although previously it was eligible. The whole group of cases which, though previously eligible, are discontinued because of a general reduction in assistance payments or a change in eligibility requirements such as the adoption of a minimum budget deficit necessary for assistance, should be included in this item. Specify the laws or policies changed and the number of cases closed as the result of each change.

(Section Continued on Next Page)

564-30 (Continued)

564-30

Item 4-C. Other known reason - Use this item for those known reasons for discontinuance which cannot be classified by the above reasons. Examples of cases to be reported here are:

- (a) Cases discontinued because of temporary hospitalization.
- (b) Cases discontinued because of the voluntary withdrawal and the reason for withdrawal is unknown.
- (c) Cases discontinued because contact with the family has been lost or its whereabouts is unknown.

If the number reported under this item is greater than five per cent of the total cases discontinued during the month, a breakdown by reason should be shown on the reverse side of the report form.

Item 4-P. Reason unknown or unreported - Use this item for all cases discontinued because of an unknown or unreported reason.

Item 5. Continued to following month - Enter the number of cases open on the last day of the month and which are to be continued as approved for General Home Relief to the following month. This item must equal the difference between Item 3 and Item 4. (W&IC 115, 116, 2506)



564-30 (Continued)

564-30

Item 4-L. Receipt of another type of public or private aid. Use this item to report those cases discontinued for general relief because of the receipt of another type of public assistance or some form of private agency assistance. Do not include the following:

- (a) Old-age and survivors insurance, workmen's compensation, and unemployment compensation; cases in which need is decreased by the receipt of such resources should be entered in either Item 4-D or 4-E.
- (b) Cases which because of a change in law or agency policy are transferred from general relief to another type of aid; such cases should be reported in Item 4-H, "Change in law or agency policy."

Item 4-M. Receipt of aid from another jurisdiction - Enter here cases discontinued because it is known that the person or persons included in the case are to receive aid from another jurisdiction. Do not include here cases discontinued because the agency considers the person eligible for assistance from another jurisdiction, but has no assurance that assistance will be given; such cases should be reported in Item 4-N, "Moved out of county."

Item 4-N. Moved out of county - Use this item to report those cases who are discontinued for general relief because they moved out of the county, and it is not known that they are to receive aid from another jurisdiction. Do not include those cases who leave the county to accept employment, support from relatives, etc., if this is definitely known. Use the appropriate item under 4-B--4-F, "Material change in economic circumstances." Also do not use this item if the family can not be located; such cases should be reported under Item 4-O.

(Section Continued on Next Page)

564-40 (Continued)

564-40

Col. 2. Persons--Enter the total number of persons for whose benefit General Home Relief was extended. This item should equal the number of persons in family cases plus the number of one-person cases.

Col. 3. Obligations Incurred in Cash--Enter the amount of obligations incurred for General Home Relief to be paid by check or in cash directly to recipients. Include amounts paid from general relief (county indigent) funds to certified relief workers on work relief projects authorized and operated by the agency for persons in need.

Col. 4. Obligations Incurred in Kind--Enter all obligations incurred during the month for payments to recipients in the form of groceries, clothing, fuel, rent, services, etc.

Such obligations should include the following items:

- (1) The value of orders for commodities, i.e., food, clothing, fuel, etc.
- (2) The value of orders for shelter or for gas, electricity, and other utilities.
- (3) The purchase cost of commodities issued directly to cases. If commodities are distributed through a commissary, include also the amount of obligations incurred for operating the commissary during the month. If the county owns a commissary, the cost of plant and equipment is not to be reported in the month in which the items are purchased, but the value is to be distributed over the life of the items and appropriate shares charged to each month.

Do not include the following items:

- (1) The value of commodities produced on Federal work programs or local work relief projects and issued to recipients. Example: WPA clothing.
- (2) Obligations incurred for non-relief labor, for materials, equipment, and/or supplies for Federal work programs or local work relief programs.
- (3) Obligations incurred for items commonly referred to as administrative expense of the general relief program.

Col. 5. Total Obligations Incurred--Enter in this column the sum of Cols. 3 and 4.

Information reported under Item 6 is classified in Items 6A and 6B according to the type of General Home Relief case.

Item 6A. Family Cases--Enter information requested for cases in which the General Home Relief payment applies to the needs of more than one person in the same household. The total number of persons who are expected to receive direct benefit from the General Home Relief payment is included in the count of persons in Col. 2.

Item 6B. One-person Cases--Enter information requested for cases in which the General Home Relief payment applies to the needs of one person only. The number of cases in Col. 1 shall be the same as the number of persons in Col. 2.

(Section Continued on Next Page)



## 564-40 OBLIGATIONS INCURRED FOR GENERAL HOME RELIEF (PART B OF FORM GR 237)

564-40

Part B is to be used for reporting the number of cases and persons receiving General Home Relief by type of case as well as the cash and kind expenditures for these cases. Include only cases, and assistance to cases, in their homes. Amounts expended for General Home Relief cases (cases reported in Part A and B) that are not regularly budgeted items, such as medical care, burials, etc., are to be reported in Part D.

Do not include cases receiving only the type of aid provided for under Part D nor the amount of such aid.

Obligations incurred for general relief payments should be reported for the month in which the payments are authorized. For example, a general relief payment provided on January 28, although it is intended to cover the needs of the case for February, should be included on the January GR 237 report. A grocery order, or any other payment in kind that is issued to the case in January is to be reported on the January GR 237 even though the bill may not be presented for payment by the grocery store for several months.

Grocery orders, or any other type of order that is issued by the quantity of the commodity rather than the cost, should be estimated in order that the GR 237 report may reflect the amount of obligations incurred during the month.

For relief extended in the form of earnings for work performed, report the amounts actually earned during all payroll periods ending within the month.

Commodities purchased in bulk for issuance to relief recipients are to be reported for the month during which they were actually issued to recipients regardless of the month in which the agency agreed to purchase the commodities or pay for them.

Item 6. Total Recipients - Enter in the appropriate columns information indicated below:

Col. 1. Cases--Enter the total number of cases to which General Home Relief was extended. This item should be the same as Item 3A.

(Section Continued on Next Page)

564-50 (Continued)

564-50

Item 11. Hospitalization--Enter obligations incurred for private or public hospital care, contract sanatoria, etc., when such expenditures are made from the regularly designated or budgeted general relief or county indigent fund.

This item shall include costs of physicians and drugs and other medical and dental care extended from the general relief fund to persons in hospitals. Expenditures from the general relief fund for ambulance to and from the hospital shall be included under this item.

Include obligations incurred for hospitalization of OAS, ANB, APSB, and ANC cases when such obligations are separate and distinct from the regular monthly grant.

Item 12. Medical and Dental Care--Enter obligations incurred for medical, optical and/or dental care outside the hospital when such expenditures are made from the general relief or county indigent fund. Include obligations incurred for services of physicians, dentists, nurses, etc.; obligations incurred for medical supplies, such as medicines, braces, appliances, eye glasses, and dentures; and obligations incurred for other medical and dental care outside the hospital when such expenditures are made from the general relief fund.

Include obligations incurred for medical and dental care of OAS, ANB, APSB, and ANC cases when such obligations are separate and distinct from the regular monthly grant.

Item 13. Burials--Enter obligations incurred for burials and cemetery care when such expenditures are made from the general relief or county indigent fund.

Item 14. Short-term Care--Enter obligations incurred from the general relief or county indigent fund for short-term care, such as single meals and overnight lodgings to transient cases.

This item should include cases granted a card for two or three days' care, at a lodging house, but not expected to receive any further assistance.

Item 15. Transportation Costs to Place of Residence--Enter obligations incurred from the general relief or county indigent fund for returning needy persons to their place of legal residence. Include railroad and bus fares, gasoline, etc., and cost of meals and other care en route. Do not include expenditures incurred for ambulance transportation to or from a hospital; report such expenditures in Item 11.

Item 16. Other--Enter obligations incurred from the general relief or county indigent fund which cannot be classified under other items in the report. Explain the nature of the obligation. Do not include payments to ANC families for the specific benefit of the family unit, nor costs commonly referred to as "administrative expense." (W&IC 115, 116, 2506)



564-40 (Continued)

564-40

The spouse of an OAS, ANB, or APSB recipient shall be reported as a one-person case unless other persons in the household are also benefiting from the General Home Relief payment. (W&IC 115, 116, 2506)

564-45 SUPPLEMENTATION OF AID GRANTS UNDER OTHER PUBLIC ASSISTANCE PROGRAMS (PART C OF FORM GR 237)

564-45

This section of the report is intended for reporting all financial assistance of any type, paid to recipients of OAS, ANB, or APSB grants, which is from county funds only and not subject to reimbursement under State laws governing these programs. Do not report these cases under Sections A or B.

General Relief extended to applicants for aid under the OAS, ANB, APSB or ANC laws during the investigation as to eligibility is not to be reported in this section. These cases are to be considered regular General Relief cases and reported as such under Sections A and B of Form GR 237.

Supplementation of ANC grants is not to be reported on this form but is to be reported on Form CA 237, Monthly Statistical Report on Aid to Needy Children. (W&IC 115, 116, 2506)

564-50 REPORTING OF OTHER GENERAL RELIEF FROM COUNTY INDIGENT FUNDS (PART D OF FORM GR 237)

564-50

Part D of the GR 237 report is designed for reporting all general relief from the regularly designated or budgeted general relief (county indigent) fund other than that reported in Parts A and B. Provision is made for reporting both the amount of obligations incurred and the number of persons for whose benefit these obligations are incurred. This section gives the SDSW information as to the type and amount of miscellaneous assistance extended by individual counties from general relief or county indigent funds.

Do not include any aid which is not from the regularly designated or budgeted general relief fund. If aid of the type specified is not provided from this fund but is provided through some other county fund, a dash (---) should be entered.

Obligations should be reported on the basis of obligations incurred during the month. Include all cash payments, relief in kind, relief orders and requisitions.

Item 9. Boarding Home Case of Children--Enter obligations incurred from the general relief or county indigent fund for the care of children in boarding homes if those children are not receiving ANC. Include only obligations incurred for children for whom payments are based on a fixed monthly rate instead of family budgets, excluding payments for children who are in a boarding home maintained by a parent or legal guardian.

Item 10. Boarding Home Care of Adult Persons--Enter obligations incurred from the general relief or county indigent fund for the care of aged persons if they are living in a home under a specific board and care agreement and are not receiving OAS, ANB, or APSB.

(Section Continued on Next Page)

569-99 (Continued)

569-99

FORM GR 237

STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

MONTHLY STATISTICAL REPORT ON GENERAL RELIEF  
TO THE STATE DEPARTMENT OF SOCIAL WELFARE, SACRAMENTO, CALIFORNIA

COUNTY \_\_\_\_\_ REPORT FOR THE MONTH OF \_\_\_\_\_, 19\_\_

A. CASES APPROVED FOR GENERAL HOME RELIEF (DO NOT INCLUDE CASES REPORTED IN PARTS C AND D)

1. CONTINUED FROM PRECEDING MONTH (IF DIFFERENT FROM ITEM 5 OF PRECEDING MONTH'S REPORT EXPLAIN DIFFERENCE ON REVERSE SIDE).....
2. TOTAL ADDED DURING MONTH (2A PLUS 2B).....
  - A. NEW: NEVER PREVIOUSLY RECEIVED GENERAL HOME RELIEF.....
  - B. RESTORED: PREVIOUSLY RECEIVED GENERAL HOME RELIEF.....
3. TOTAL ACTIVE DURING MONTH (1 PLUS 2; ALSO 3A PLUS 3B).....
  - A. RECEIVED GENERAL HOME RELIEF (SAME AS ITEM 6, COL. 1).....
  - B. RECEIVED NO GENERAL HOME RELIEF.....
4. TOTAL DISCONTINUED DURING MONTH (SUM OF 4A THROUGH 4P).....
  - A. DEATH.....

4B - 4F: MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES

- B. EMPLOYMENT OR INCREASED EARNINGS OF PERSON IN HOME.....
- C. ALLOWANCE, PENSION OR PAYMENT CONNECTED WITH MILITARY SERVICE, RECEIVED BY PERSON IN HOME.....
- D. INCREASED SUPPORT FROM RELATIVES OR FRIENDS OUTSIDE HOME.....
- E. INCREASE IN OTHER RESOURCES OF PERSON IN HOME.....
- F. OTHER MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES (INCLUDE DECREASED NEED, ETC.).....

4G - 4P: NO KNOWN MATERIAL CHANGE IN ECONOMIC CIRCUMSTANCES

- G. ORIGINALLY INELIGIBLE.....
- H. CHANGE IN LAW OR AGENCY POLICY (SPECIFY POLICY ON REVERSE SIDE).....
- I. REFUSAL TO COMPLY WITH AGENCY POLICY (SPECIFY POLICY ON REVERSE SIDE).....
- J. EXCESS PROPERTY.....
- K. ADMITTED TO INSTITUTION.....
- L. RECEIPT OF ANOTHER TYPE OF PUBLIC OR PRIVATE AID.....
- M. RECEIPT OF AID FROM ANOTHER JURISDICTION.....
- N. MOVED OUT OF COUNTY.....
- O. OTHER KNOWN REASON (IF MORE THAN 5% OF ITEM 4 TOTAL, SHOW BREAKDOWN BY MAJOR REASONS ON REVERSE SIDE).....
- P. REASON UNKNOWN OR UNREPORTED.....

5. CONTINUED TO FOLLOWING MONTH (3 MINUS 4).....

B. OBLIGATIONS INCURRED FOR GENERAL HOME RELIEF: DETAIL FOR CASES REPORTED UNDER ITEM 3A

RECIPIENT	CASES (1)	PERSONS (2)	OBLIGATIONS INCURRED DURING MONTH		
			CASH (3)	KIND (4)	TOTAL (5)
6. TOTAL RECIPIENTS (6A PLUS 6B).....					
A. FAMILY CASES.....					
B. ONE-PERSON CASES.....					
C. SUPPLEMENTATION OF AID GRANTS UNDER OTHER PUBLIC ASSISTANCE PROGRAMS (DO NOT INCLUDE ELSEWHERE IN THIS REPORT)				PERSONS	OBLIGATIONS
7. SUPPLEMENTAL AID FROM COUNTY FUNDS TO OAS RECIPIENTS.....					
8. SUPPLEMENTAL AID FROM COUNTY FUNDS TO ANB OR APSB RECIPIENTS.....					

(FORM CONTINUED ON NEXT PAGE)

(Section Continued on Next Page)



569-99 (Continued)

569-99

FORM CA 237 (CONTINUED)			
8. TOTAL CASES DURING MONTH (SUM OF ITEMS 6 AND 7; ALSO SUM OF ITEMS 8A AND 8B) . . . . .	53	79	185
A. NUMBER OF CASES ON APPROVED ROLLS FOR WHOM WARRANTS WERE ISSUED.	52	78	183
B. NUMBER OF CASES ON APPROVED ROLLS FOR WHOM WARRANTS WERE NOT ISSUED . . . . .	1	1	2
9. CASES DISCONTINUED DURING MONTH . . . . .	1	4	10
A. TRANSFERRED FROM FAMILY GROUPS TO BOARDING HOMES AND INSTITUTIONS	XXXXXXX	0	1
B. TRANSFERRED FROM BOARDING HOMES AND INSTITUTIONS TO FAMILY GROUPS	0	XXXXXXX	XXXXXXX
C. OTHER. . . . .	1	4	9
10. CASES CONTINUED TO NEXT MONTH (ITEM 8 MINUS ITEM 9) . . . . .	52	75	175
	<b>COLUMN I</b>	<b>COLUMN II</b>	<b>COLUMN III</b>
	<b>BOARDING HOMES AND INSTITUTIONS PROGRAM</b>	<b>FAMILY GROUPS</b>	<b>TOTAL</b>
C. OBLIGATIONS INCURRED FOR ASSISTANCE PAYMENTS:			
11. TOTAL OBLIGATIONS INCURRED (SUM OF ITEMS 11A AND 11B) . . . . .	\$1,443.00	\$4,870.25	\$6,313.25
A. TOTAL BASIS FOR STATE PARTICIPATION: . . . . .	1,141.92	4,087.25	5,229.17
1. FEDERAL SHARE . . . . .	XXXXXXXX	1,443.75	1,443.75
2. STATE SHARE . . . . .	768.82	1,973.25	2,742.07
3. COUNTY SHARE. . . . .	373.10	670.25	1,043.35
B. TOTAL SUPPLEMENTAL COUNTY AID: . . . . .	301.08	783.00	1,084.08
1. CASH. . . . .	168.32	540.00	708.32
2. KIND. . . . .	132.76	243.00	375.76
(SIGNATURE OF REPORTING OFFICER) <i>James Brown</i>			
(TITLE) DIRECTOR			
(DATE) MARCH 6, 1944			
FORM CA 237 (REVISED)--JANUARY, 1944			

(Section Continued on Next Page)

569-99 (Continued)

569-99

FORM DPA 10  
STATE OF CALIFORNIA

DEPARTMENT OF SOCIAL WELFARE

## MONTHLY STATISTICAL REPORT ON PUBLIC ASSISTANCE REINVESTIGATIONS

COUNTY \_\_\_\_\_ REPORT FOR THE MONTH OF \_\_\_\_\_, 19\_\_\_\_

(NOTE: "THIS MONTH" REFERS TO THE MONTH COVERED BY THE REPORT.)

	OLD AGE SECURITY	AID TO THE BLIND*	AID TO NEEDY CHILDREN**
1. OVERDUE REINVESTIGATIONS BROUGHT FORWARD (ITEM 1A PLUS OR MINUS ITEM 1B) . . . . .			
A. REINVESTIGATIONS REPORTED AS OVERDUE IN ITEM 7 OF LAST MONTH'S REPORT. . . . .			
B. INVENTORY ADJUSTMENT (IF ANY) . . . . .			
2. REINVESTIGATIONS BECOMING DUE <u>THIS MONTH</u> . . . . .			
3. TOTAL REINVESTIGATIONS DUE <u>THIS MONTH</u> . (SUM OF ITEMS 1 AND 2) . . . . .			
4. REINVESTIGATIONS CANCELLED BECAUSE OF DISCONTINUANCE (IF DUE <u>THIS MONTH</u> OR IN A <u>PRIOR MONTH</u> ) . . . . .			
REINVESTIGATIONS COMPLETED THIS MONTH:			
5. DUE <u>THIS MONTH</u> OR IN A <u>PRIOR MONTH</u> . . . . .			
6. DUE IN A FUTURE MONTH . . . . .	( - - - - )	( - - - - )	( - - - - )
7. TOTAL REINVESTIGATIONS OVERDUE AT END OF <u>THIS MONTH</u> . (ITEM 3 MINUS ITEMS 4 AND 5; ALSO SUM OF 7A AND 7B). . . . .			
A. REINVESTIGATIONS OVERDUE 12 MONTHS OR MORE. . . . .			
B. REINVESTIGATIONS OVERDUE LESS THAN 12 MONTHS BY MONTH AND YEAR WHEN DUE (SUM OF ENTRIES BY MONTHS) . . . . .			
REMARKS:			
	JANUARY 19__		
	FEBRUARY 19__		
	MARCH 19__		
	APRIL 19__		
	MAY 19__		
	JUNE 19__		
	JULY 19__		
	AUGUST 19__		
	SEPTEMBER 19__		
	OCTOBER 19__		
	NOVEMBER 19__		
	DECEMBER 19__		

\* ANB AND APSB COMBINED.  
 \*\* INCLUDES ALL ANC REINVESTIGATIONS.

(SIGNATURE OF PERSON REPORTING) \_\_\_\_\_

(TITLE) \_\_\_\_\_

(DATE) \_\_\_\_\_

SUBMIT TWO COPIES TO STATE DEPARTMENT OF SOCIAL WELFARE

FORM DPA 10, REVISED AUGUST, 1945



569-99 (Continued)

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(FORM GR 237 CONTINUED)

D. OTHER GENERAL RELIEF FROM COUNTY INDIGENT FUND (DO NOT INCLUDE PERSONS OR OBLIGATIONS REPORTED IN PARTS A, B AND C, OR AID FROM SOURCES OTHER THAN INDIGENT FUND)			
9. BOARDING HOME CARE OF CHILDREN (EXCLUDE ANC CASES).....			
10. BOARDING HOME CARE OF ADULT PERSONS (EXCLUDE OAS, ANB, OR APSB).....			
11. HOSPITALIZATION.....			
12. MEDICAL AND DENTAL CARE.....			
13. BURIALS.....			
14. SHORT-TERM CARE, SUCH AS SINGLE MEALS, OVERNIGHT LODGINGS, ETC.....			
15. TRANSPORTATION COSTS TO PLACE OF RESIDENCE.....			
16. OTHER (SPECIFY).....			
PERSON REPORTING _____ TITLE _____			
FORM GR 237 (REVISED JUNE, 1946)			

(Section Continued on Next Page)